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What is the Situation Now?

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A REVIEW

OF

POLITICAL AFFAIRS

IN THE

SOUTHERN STATES

BY

APR 2 1894
CITY OF WASHINGTON.
Mar. 31, 1894

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WHAT IS THE SITUATION NOW?

In the year 1890 there was published by R. H. Woodward & Company, of Baltimore, a book entitled, "Why the Solid South? or Reconstruction and its Results." Hilary A. Herbert, of Alabama, now secretary of the navy, is its compiler and most conspicuous contributor. The object of the book, as stated by Mr. Herbert in the preface, is, "to show to the public and more especially to those business men of the North who have made investments in the South, or who have trade relations with their southern fellow-citizens, the consequences which once followed an interference in the domestic affairs of certain States by those who either did not understand the situation or were reckless of results;" and reconstruction is successively treated of at Washington and in the States of Alabama, North Carolina, South Carolina, Georgia, Florida, Tennessee, Virginia, West Virginia, Missouri, Arkansas, Mississippi, Texas and Louisiana.

Mr. Herbert writes the articles upon reconstruction at Washington, and in the State of Alabama, and the concluding chapter of the book — a contribution that he terms, "Sunrise."

Zebulon B. Vance, a United States senator, takes care of North Carolina; John J. Hemphill, an ex-member of congress, performs a similar office for South Carolina; Henry G. Turner, a member of congress, does likewise for Georgia; Samuel Pasco, a

United States senator, for Florida; Ira P. Jones, for Tennessee; Robert Stiles, for Virginia; O. S. Long and William L. Wilson, the latter a member of congress, and now chairman of the Committee on Ways and Means, for West Virginia; George G. Vest, a United States senator, for Missouri; Charles Stewart, an ex-member of congress, for Texas; R. J. Sage, for Louisiana, and William M. Fishback, now Governor of the State, for Arkansas.

"Each article," says Mr. Herbert, "is signed by its author, who thus becomes directly responsible for the truth of his statements." The book is dedicated "to the business men of the North," and though published, indeed, four years ago, and not undertaken, so says Mr. Herbert, "with any such impracticable purpose as agitating for the repeal of the fifteenth amendment," still, very recent events in the Fifty-third Congress are of such a nature as to excite the gravest apprehension for the due enforcement of this very important provision in our fundamental law.

And while the excuse is the alleged propriety of the repeal of the Federal election statutes, this recently enacted legislation does not stop with brushing away the barriers previously existing against fraud in the choice of presidential electors and representatives in congress, but repeals the sections of the general statutes of the country that have been heretofore enacted to give force and effect to the fifteenth amendment of the Constitution of the United States.

Inasmuch therefore as "Why the solid South?" is presented to "the business men of the North," as *throughout* a fair and unprejudiced statement of the principal facts and events of the reconstruction

period; and is to-day a special source of inspiration to those men who are endeavoring to emasculate the fifteenth amendment, something will now be said with reference to this book, and attention then given to what is conceived to be a very serious condition of public affairs as now existing in a portion of the Southern States, and one that demands correction.

For some time prior to the reconstruction period, during that entire period and for several years thereafter, the writer was continuously a resident of the State of Arkansas. He will largely speak from personal knowledge, and for that reason have nothing to say as to what occurred in other States during the reconstruction period, except to observe that if the presentation made in their behalf to "the business men of the North" *is as unfair and unjust* as that for Arkansas, then "Why the solid South?" with all its array of contributors, is by no means entitled to the confidence of the men to whom the book is dedicated.

In the article upon reconstruction in Arkansas, page 306, Mr. Fishback, in making a comparison with subsequent Republican management, says:

"Under Democratic rule the amount expended for State purposes for the two and one-half years from April 18th, 1864, to October 1st, 1866, was only $162,000, or $64,000 per annum."

The Government of the State of Arkansas, for the period "from April 18th, 1864, to October 1st, 1866," Mr. Fishback's two and one-half years — *was not under Democratic rule at all.* It was the Government of the Union men of the State, and was organized under and in pursuance of President Lincoln's proclamation of

December 8, 1863, for the reorganization of civil governments in the seceded States. So far as interference with its establishment could take place, it met *from the beginning* with the bitter and persistent opposition of a large portion of that element in the politics of the State with which Mr. Fishback is now fraternizing. Much of this opposition was, indeed, at the outset, within the rebel lines, but still it sought to prevent the organization of the new government.

At that time Harris Flanagin was the Confederate Governor of Arkansas, with head-quarters at Washington, Hempstead County, in the south-western portion of the State. The vote on the new constitution was to take place on the 14th, 15th and 16th days of March, 1864, and on the 19th day of the preceding February Governor Flanagin wrote to Lieutenant-General E. Kirby Smith, then commanding the trans-Mississippi department of the Confederate States, asking for troops to prevent the holding of this election, particularly in the counties of North-western Arkansas, in which there was a large Union element.

Upon this subject the following correspondence passed:

"HEAD-QRS. TRANS. MISS. DEPT.
SHREVEPORT, LA., February 24, 1864.

General,—I have the honor to enclose copy of a communication from Gov. Flanagin asking that Col. Brooks be allowed to take five or six hundred cavalry to N. W. Arkansas, for the purpose of interrupting the elections to be held there in March, under federal protection.

The Comd'g Gen'l commends to your consideration the importance of accomplishing the objects contemplated by Gov. Flanagin, and desires you, if you can do so without interfering with your operations in the field, to send such a number of men

as you may think proper, under such officers as you may select, to N. W. Arkansas for that purpose.

Very respectfully, your obt. serv't,

E. CUNNINGHAM,

Lieu.-Gen. T. H. HOLMES, Lt. and A. D. C.

Commanding Dist. Ark.

Official :

H. P. PRATT, A. A. Gen."

For some reason Gen. Holmes did not act in this matter, and Gov. Flanagin again wrote to Gen. Smith. Upon receipt of this second letter Gen. Holmes was once more communicated with, and this time with greater positiveness than in the first instance :

"HD. QRS. TRANS. MISS. DEPT.

SHREVEPORT, LA., March 4, 1864.

General,—I am directed by the lieutenant-general commanding to inclose you a copy of a communication from Gov. Flanagin with reference to the interruption of the State elections in North-western Arkansas.

The lieutenant-general reiterates his desire, expressed in a communication of the 24th, ult., on this subject, that you do all in your power, consistent with the interests of the service, to forward the views of the governor.

If it is practicable to send cavalry, as he suggests, and prevent the holding of these elections, great good may be accomplished. The commanding general commends this subject to your earnest consideration. Very respectfully, your obedient servant,

E. CUNNINGHAM,

Lt.-Gen. T. H. HOLMES, Lt. and A. D. C.

Comd'g Dist. Ark."

The same day Gen. Smith wrote to Gov. Flanagin as follows :

"HD. QRS. TRANS. MISS. DEPT.

SHREVEPORT, LA.. March 4, 1864.

His Excellency, H. FLANAGIN, Governor of Arkansas.

Sir,—I have the honor to acknowledge the receipt of your letter of the 27th Feb. I enclose copy of a letter which I have had

written to Gen. Holmes, as also copy of one addressed to him on the receipt of your communication of the 19th of February, in relation to this same subject. I beg leave to state that any arrangement which Gen. Holmes may be able to make for the purpose of forwarding your views will meet with my approbation. I have the honor to be very respectfully,

Your obedient servant,

E. KIRBY SMITH, Lt.-Gen."

Reading between the lines it would seem that Gen. Holmes, as commander of the Confederate district of Arkansas, did not respond with alacrity, if he did at all, to the wishes of Gov. Flanagin, and the suggestions of Gen. Smith, then commander of the department, of which the State of Arkansas was a portion.

At all events this election was not interfered with in North-western Arkansas, though the Confederate governor of the State was prompt enough, as these communications disclose, in the expression of an earnest desire to have this done. And while circumstances that he could not control had compelled him to abandon the capital of the State as the seat of his own government, and to locate it miles away to the southwest, upon a sandy foundation in a double sense, at Washington, Hempstead County, Gov. Flanagin was still alert to crush, if he could, this new movement of the loyal men of the State.

But that was not to be done; and a large vote, carefully confined to eligible, *bona fide* citizens of the State, was polled in North-western Arkansas particularly, for the officers, who were to set the new government in motion — a government whose protective power was aided by that other and greater Washington, where President Lincoln was holding the helm.

On the first day of June, 1861, the called session of the rebel convention (having previously assumed to take the State out of the Union without referring their action to the people) adopted a constitution for the State, which was substantially its old constitution with some changes strengthening its pro-slavery features and substituting the phrase, "Confederate States of America" wherever the "United States of America" occurred in the old instrument. So far, then, as the members of this convention could do so, they had prostituted the constitution of the State to the interests of slavery, and it was now thought necessary that an entirely new constitution should be presented to the people, rather than that amendments to the old one should be proposed. Taking this view of the case, the convention of 1864 submitted their labors, which resulted in the adoption of a new constitution for the State, by the vote of 12,177 for, to 226 against it. The immediate abolition of slavery was provided for, and all laws inconsistent with the new constitution were made inoperative and void.

Pending the organization of the new government, Isaac Murphy was appointed provisional governor of the State, and on the 18th of April, 1864, was inaugurated as governor, elected under the new constitution. It was the first government of the kind put in operation, and, while heartily sustained by the Federal forces in Arkansas, still had many and serious difficulties to contend with. The public records of the old State government had been taken away, when in September, 1863, Gen. Steele took possession of Little Rock, the capital of the State, and the Confederate army evacuated it.

In the month of December, 1862, the following resolution was adopted by the Confederate Legislature of the State, in secret session:

"Resolved by the general assembly of the State of Arkansas: that the governor is hereby invested with authority to destroy such of the public property as cannot be conveniently removed, when in his judgment it shall become expedient to do so, to prevent the same from falling into the hands of the public enemy.

Adopted by the House of Representatives in secret session December 1, 1862.

JOHN A. HARRELL,
Speaker of House of Reps.

Adopted by the senate, in secret session, December 1, 1862.

THOS. FLETCHER.
President of the Senate.

Approved December 1, 1862.

H. FLANAGIN."

Books and papers could indeed be "conveniently removed" under ordinary circumstances, and no doubt were not in immediate contemplation when this resolution was adopted; but it was, nevertheless, a good justification to have at hand should the movements of the enemy be so pressing that a destruction of public records even would become necessary.

Other resolutions of this legislature more elaborate in their terms were adopted on the 27th and 29th days of November, 1862, and approved by Gov. Flanagin, December 1, 1862, by which the removal of the seat of government was provided for, and the judges of the supreme court and the separate court of chancery were empowered to move the library and all books and papers belonging to their respective courts to the temporary seat of government.

After the occupation of Little Rock by Gen. Steele, Washington, Hempstead County, became this

"temporary seat," and the State records were taken to that place. The records of Pulaski County, of which Little Rock is the county seat, were spirited, first, into the woods of Saline County, not many miles south of Little Rock, and covered with a tarpaulin. But the better judgment of the wiser rebellious heads did not permit them to remain in this exposed condition, and they were removed to a place of greater safety.

President Lincoln's message to Congress, and the accompanying proclamation of December 8, 1863, were nowhere read with greater interest in the rebellious States than by the prominent men in Arkansas, who were at war with the general government; and what was to be apprehended from the issuance of these two most important documents was very clearly understood by them. George C. Watkins of Little Rock (who had been a justice of the supreme court of the State, and was one of the most able and influential men in Arkansas), moving with head-quarters, to which he seems to have been attached as a general adviser in matters of high importance, wrote a letter from Camden on the 24th day of December, 1863, to Gov. Flanagin, from which the following is an extract:

"I have just read Lincoln's message and proclamation. It requires much thought and consideration. You ought to read and digest it carefully, and make it a topic in your address, so as to counteract, as far as possible, any evil effects it may be calculated to have in Arkansas. It is absurd enough to a statesman, or a lawyer, but craftily devised to ensnare the unwary, and a foreshadowing of Yankee domination, from which we may well pray God to deliver us."

A little later on, January 31, 1864, he again writes to Gov. Flanagin with reference to what he terms

the usurping government of Arkansas, and further alludes to it in this wise:

"Such a government as that set up, and in the hands of such men — you will see at a glance who they are — cannot stand, but will disgust our people unless they are driven to desperation by lawless acts of our soldiery and seek for safety in abject submission. If we cannot, or do not, successfully cope with the enemy by force of arms, it ought to be a part of our Fabian policy to let our people experience what Federal rule and armed occupation are, and intend to be, and come to look upon our army as their friends. I fear this policy is not being pursued. Outrages are committed by marauding parties of our soldiery or hangers-on of the army, hardly excelled by any exploits of the enemy in that line — and as yet they go unpunished.

"I think it of the first importance for you to have a conference with Gen. Holmes on that subject, and wish you would come up in person. Indeed, as all depends upon success of arms, I wish you could be much of the time about head-quarters to see what is going on, and give the military authorities the encouragement of your presence and counsel."

Still later on, May 4, 1864, Elbert H. English of Little Rock, who was also a justice of the supreme court of Arkansas before the rebellion broke out, and at the time above indicated was a member of the Confederate supreme court of the State, wrote likewise to Gov. Flanagin in relation to this new government. Like many other of the arch conspirators who were wandering from place to place, he was indulging in the fond delusion that the Confederate State government would soon be reëstablished at Little Rock; and in his letter to Gov. Flanagin thus delivers himself:

"Point Comfort, May 4, 1864.

Dear Governor,—From all I can learn the way will soon be open for the State officers to return to Little Rock and administer the State government there again, for which event am I exceed-

ingly anxious. Prudence, I would respectfully suggest, might require the surplus archives to remain at Washington for the present, and that such books and papers only, as are wanted in the active administration of the government, be taken to the capital.

"I am anxious to see these gentlemen who were connected with the State government, and have taken part in organizing Lincoln's *bastard* State government. I want to see how they look and what they have to say, Truly, etc.,

"E. H. ENGLISH."

At the close of the war Judge Watkins and Judge English returned to Little Rock to reside, and they lived to its end under this odious State government, devised by President Lincoln, and which Judge English particularly, had characterized by an epithet whose form is preserved as originally accentuated.

This new government had much to contend with. The public records of the State had been removed, as we have indicated, when the Confederate army evacuated the capital in September, 1863, and there was not a dollar in the treasury. The State was still, in part, under disloyal control. Little Rock itself was threatened by the enemy, and this condition of affairs seriously affected the question of recognition, at that time, by the Congress of the United States. The judiciary committee of the Senate reported against the admission of the senators-elect; and the judiciary committee of the House of Representatives in favor of the men chosen for admission into that body. While, therefore, during the continuance of the war this government failed of full recognition at Washington, it, nevertheless, was held intact; and when the war closed, the exercise of its functions assumed a better form than was possible during the

existence of hostilities. A militia system was devised and put in operation, and the chaotic condition of the State gradually passed away. Still many of the old citizens who had been rebels in arms, and otherwise, were dissatisfied with this loyal State government. They began to plot against it, yet artfully assuming a *quasi* friendship, and in the summer and fall of the year 1865, initiated measures for holding an early convention at Little Rock. To a certain extent their efforts were successful and a gathering was held. Gov. Murphy, though invited to do so, did not attend it, but Gen. Sherman and Gen. Reynolds, the latter commanding the District of Arkansas, did; and the members of the convention were practically told that they had better adjourn and go home, which they proceeded to do.

About this time, and on the 30th day of October, President Johnson telegraphed to Gov. Murphy that there would be no interference with the State government organized as we have mentioned, and that the Federal government would give it all the aid in its power to render.

For several months there was now substantial quiet, and in the spring of 1866 the following letter was written to President Johnson:

"HEADQUARTERS, STATE OF ARKANSAS,
Adjutant-General's Office.

LITTLE ROCK, May 12, 1866.

THE PRESIDENT OF THE UNITED STATES:

Dear Sir,—Presuming that you would be pleased to know something of the financial condition of the present State government of Arkansas, Gov. Murphy desires me to send you the inclosed notice, published in all our city papers, and receiving general circulation throughout the State.

Our entire debt since the creation of this government in March, 1864, is $144,931 25; auditor's warrants redeemed, $106,198.42; balance outstanding, $38,732.83; which, with accrued interest, may possibly amount to $40,000, to meet which we have in the treasury $132,705.19 in U. S. currency.

The State was probably never more quiet than to day. General Reynold's wise administration of military affairs, and the governor's confidence in the masses, shown especially in his appointments, made without particular reference to the past, where the situation is cheerfully accepted, seem to be bringing back again the era of good feeling. Our general election takes place in August; the legislature sits in November, and if no attempt is made by designing men to interfere with the present order of things, we shall continue to get along prosperously at home.

With high regard, I have the honor to remain,
Very respectfully, your obedient servant,
A. W. BISHOP,
Adjt.-Gen. Arkansas, and Acting State Treasurer."

The notice referred to in this letter was the following:

"STATE OF ARKANSAS, TREASURER'S OFFICE,
"LITTLE ROCK, May 9, 1866.

"Holders of auditor's warrants are requested to present them to the treasurer for payment on or before the 15th day of June next, as no interest will be paid after that time.

"A. W. BISHOP, Acting Treasurer."

About this period the differences between President Johnson and the majority in Congress had become marked, and the element in Arkansas that had been opposing the Murphy government grew bolder. Attacks upon this government were now more frequently made, and a general election to be had in August stimulated the hostility. At that time the "iron-clad" oath had not made its advent, and the only special obligations necessary to be assumed by voters, who had been implicated in the rebellion, were

those imposed by the proclamation of general amnesty. The election came on. A new legislature was chosen and non-appointive State officers generally, with the exception of the governor and secretary of State, who still had two years to serve.

The members of the existing government who were candidates for reëlection were defeated by very large majorities, and it soon became evident that the old rebellious element was again master of the situation. The kindness and forbearance of Gov. Murphy were forgotten, and when this newly-created legislature assembled in November it proceeded without delay to endeavor to embarrass what was left of the government of the Union men of the State. In his message to the general assembly, Gov. Murphy submitted for their consideration the proposed amendment to the Constitution of the United States, which is now known as the fourteenth, and in the submission said :

"Judging from the results of the late elections, and from the decided tone of public sentiment in the States that subdued the insurrection, it is not probable that better terms will be granted. The effect of rejection on the prosperity and happiness of the people demands solemn consideration."

This amendment was rejected, however, by an almost unanimous vote in both the Senate and House of Representatives. The governor also called attention to the report of the adjutant-general of the State — a report submitted as a document accompanying his message — and in this connection saw proper to say :

"Complete details of the organization of the several Arkansas regiments, with a succinct military history of each up to the time

of its muster-out, will be found in the report. It also gives information relating to the organization of certain volunteer militia companies in different parts of the State, designed for the protection of peaceable and industrious citizens from the depredations of the lawless, and to aid and protect the civil authorities in the enforcement of the laws. This report should be printed, as thousands of citizens are interested in the facts therein contained; and those entitled to back-pay and pensions are especially interested in its publication as the evidence on which their claims rest is to be found therein."

To this report the legislature paid no attention except to shelve it, but to the writer the case was different. In the Senate, on the first day of the session, and directly after the opening prayer, a bill was introduced to repeal the law that gave him the pay of his grade, and to reduce his compensation to $200 a year. A few days later a similar bill was introduced in the House of Representatives, but in neither body did this bill finally pass. It soon became evident, however, that the publication of the report referred to would not be ordered — a report written without acrimony or malice — and with the approval of the governor, the writer repaired to Washington with a copy of the manuscript. On the 15th day of February, 1867, the Senate of the United States *by a unanimous vote* ordered the publication of this report, and at the expense of the general government it was duly gotten out at the public printing-office in Washington. One thousand copies were issued and distributed for the use of the Union soldiery of Arkansas.

When this legislature adjourned there was very little left of the State government as organized under the auspices of President Lincoln, and it soon became apparent that Arkansas would be included with the

other rebellious States in the reconstruction acts of Congress. This was done and the woes of the people, as rehearsed by Mr. Fishback, now began. But before we proceed to this lamentable state of affairs let it not be forgotten that the "two and one-half years" of State government, "from April 18th, 1864, to October 1st, 1866," which Mr. Fishback states were under Democratic rule, and from which he makes comparisons favorable to Democratic management, were, as we have already said, not Democratic at all. *The assurance is sublime that so presents them.* This government was precisely what we have stated it to be. Mr. Fishback's "two years and a half" *had expired* when the members of the legislature, elected in August, 1866, came together in November, and now *for the first time after the close of the war* was *any* branch of the State government under Democratic control. That control embraced the legislative and judicial departments, *but not the executive;* and this legislature, aside from the notoriety, by the way, that it otherwise acquired, *exhausted the treasury.*

The reconstruction period in Arkansas began in the year 1868 and ended in 1874. The course of certain officials of the State government in operation during this period, in manipulating State aid to railroads, and the Holford and Levee bonds — a subject upon which Mr. Fishback dilates — was indefensible, but still there were two sides to the matter; one, involving individual Republicans, *the other individual Democrats*, as we shall shortly endeavor to show.

Meantime we invite attention to a comparison that Mr. Fishback could have presented in his article in "Why the solid South?" but did not.

In the year 1874 a new State constitution was adopted, and now *for the first time after the close of the war* the Democracy of Arkansas controlled *all* branches of the State government — the executive as well as the legislative and judicial. The year 1873 was the *last full year* of Republican rule; the year 1875 the *first full year* of Democratic rule, and careful attention is asked to the following tables which show *current expenses alone.*

REPUBLICAN RULE 1873.

Salary of Governor,	$5,000
" Secretary of State,	3,000
" Treasurer of State,	3,000
" Auditor,	3,000
" Attorney General,	3,500
" Commissioner of State Lands,	3,000
" Superintendent of Public Instruction,	3,500
For clerks in Auditor's office,	8,000
" " and contingent expenses in Treasury Dep't,	8,000
" " in State Land Office,	5,000
For rent of Governor's mansion,	1,200
" Copying Acts of General Assembly,	1,000
" Clerk's hire in Office of Commissioner of Public Works,	2,500
" Clerk's hire in office of Superintendent of Public Instruction,	2,000
" State printing, *not to exceed,*	60,000
" Contingent expenses, Executive Department,	10,000
" Contingent expenses, Supreme Court,	3,000
" Contingent expenses of Pulaski Chancery Court,	2,000
" Clerk and reporter, Supreme Court,	1,500
" Paying General Assembly, per diem,	150,000
" Contingent expenses of same,	10,000
Salary of Lieutenant Governor,	3,500
" State Geologist,	2,500
Total,	$294,200

DEMOCRATIC RULE 1875.

Salary of Governor,	$3,500
" Secretary of State,	2,000
" Treasurer of State,	2,500
" Auditor,	2,500
" Attorney General,	2,000
" Commissioner of State Lands,	2,000
The Acts do not show salary of Supt. of Public Instruction.	
For clerks in Auditor's office,	8,000
" clerks and contingent expenses in Treasury Dep't,	8,000
" Contingent expenses, State offices,	7,500
" Clerks in State Land office,	8,500
" Rent of Governor's mansion,	1,200
" Copying Acts of General Assembly,	3,000
" Printing and distributing Treasurer's certificates,	3,000
" Printing blank collector's and assessor's books,	15,000
" Distributing emigration documents,	500
" State printing,	50,000
" Supplying deficit for State printing,	20,000
" Contingent expenses, Executive Department (p. 240)	43,000
" Contingent expenses, Executive Department (p. 77)	50,000
" Engineers Public Works,	1,275
" Contingent expenses, Supreme Court,	3,000
" Contingent expenses, Pulaski Chancery Court,	5,000
" Clerk and reporter, Supreme Court,	1,600
" Paying General Assembly, per diem (p. 337),	50,000
" Paying General Assembly, per diem (p. 220).	40,000
" Paying General Assembly, per diem (p. 77),	100,000
Total,	$433,075
Difference in favor of Republican economy,	$138,875
The Appropriations as above, for paying the per diem of the members of the General Assembly of 1875, see pages 77, 220 and 337, Acts of 1875, were	$190,000
To this sum should be added $40,000, U. S. gold interest bearing bonds — borrowed to pay the per diem of the members of this General Assembly,	40,000
Making a total of	$230,000

Against the $160,000 expended in 1873 by the Republican Legislature for the same purpose, . . .	$160,000
Difference in favor of Republican economy, ...	$70,000
Salary of Democratic Governor, 1875, ...	$3,500
Contingent expenses (see p. 240, Acts 1875), ...	43,000
Contingent expenses (see p. 77, Acts 1875), ...	50,000
Total, Democratic administration, ...	$96,500
Salary of Republican Governor, 1873, ...	$5,000
Contingent expenses, ...	10,000
Total, ...	$15,000
Difference in favor of Republican rule, ...	$81,500

By reference to the acts of 1873 it will be seen that the collectors received three per centum for collecting the revenues, and in 1875, *five per centum*, an advance of two per cent.

These facts and figures are taken from the printed acts of the general assemblies of 1873 and 1875.

This was Democratic economy with a vengeance.

On pages 311 and 312 of "Why the Solid South?" Mr. Fishback says:

"Under an act of the legislature, approved February 24th, 1838, the State loaned a private bank in Little Rock, called the "Real Estate Bank," five hundred thousand dollars in its bonds, to be sold but at not less than par, the proceeds to be used in starting a branch of their bank in Van Buren, in the western part of the State.

"The bank officers undertook to sell them to the North American Trust & Banking Company of New York. The company said that they had already floated as many Arkansas bonds as could be floated at par, and refused either to buy or to attempt to sell. The officers of the bank then hypothecated the bonds with this same company and drew out upon their security $121,333, and not for the purposes of the act, *but for their own private purposes.*

"The North American Company failed shortly afterwards, owing one James Holford a large amount. He found among their assets these five hundred $1,000 bonds and demanded payment by the State. The governor informed him that the bonds showed upon their face that they were in the possession of the Trust Company by fraud, and that they belonged not to Holford but to the State.

"Holford held on to the bonds, and in April, 1869, he saw his opportunity with the carpet-bag legislature.

"His agent asked them for the $121,000 drawn out by the bank officers together with interest. But the legislature, through lobbyists, said no, we will not pay you this amount of about $330,000, but if you will put in your claim for the $500,000, with forty years interest, making in all $1,370,000, we will give you your $330,000, and we will take the balance, as a reward for our honesty 'in restoring the honor and credit of the State.' This amount was issued and so divided."

These bonds came into use in pursuance of an act of the general assembly entitled, "an act to provide for the funding of the public debt of the State," approved April 6, 1869; a measure that was commonly known as the "Holford bond," or "funding bill."

The House of Representatives of the State legislature in session in the year 1877—an overwhelmingly Democratic body—appointed a special committee to enquire into the alleged frauds connected with the legislation upon and issue of these Holford bonds and the Railroad Aid and Levee bonds. Of this committee Mr. Fishback was chairman. A sub committee, of which he was likewise chairman, took testimony at Fort Smith, January 26, 1877. William Walker, a prominent Democratic lawyer (now deceased), after referring to a petition drawn by himself, as attorney for the administrators of the estate of Charles B. Johnson, deceased, upon which petition was based

an order of court for the sale of fifty State bonds, issued under this act of April 6, 1869, testified as follows before this committee. He was interrogated by Mr. Fishback :

Question: "State whether or not you ever heard Mr. Charles B. Johnson, in his life-time, say anything in relation to the funding act of the 6th of April, 1869, mentioned in the order to which you have just referred, or to the so-called Holford bonds, or to any interest he had in the same, and if yea, state what it was."

Answer: "Not long after the passage of the funding act inquired after, I happened to call at the counting-room of Messrs. Collins & Lanigan in this place. Mr. Johnson and a number of other gentlemen, among whom are Mr. Lanigan, William B. Sutton, and, I think, Major Rector and Mr. James M. Collins, were there. Mr. Johnson and others of the company were discussing the funding bill and the merits of the Holford claims against the State. I joined in the discussion, which waxed warm, Mr. Johnson evincing considerable feeling. On leaving the counting-room I was followed by Mr. Johnson, who overtook me at the front door of the house, and taking me to one side, *stated that he was largely interested in the Holford bonds*, and expressed the hope that I would not indulge in such tirades as I had been making, in the future, saying that the only effect such arguments and invectives as I had just been using could have, would be to depreciate the bonds to be issued under the funding act, *and injure my friends.*

"In the course of an hour or so I called again at the counting-room, and found Mr. Johnson still engaged

in conversation respecting the funding act, in the course of which I remarked to him that if any of the bonds issued in satisfaction of the Holford bonds ever came into his hands he should convert them into money as soon as possible, saying that the very first act of the first Democratic legislature that convened would be to repudiate them. To which he replied that the influence of the holders of the bonds in this State would prevent that, *and intimated very clearly and distinctly that prominent Democrats were as deeply interested in the Holford bonds as the Radicals.* I cannot at this remote period undertake to state all that was said at the time referred to, *but I have a distinct recollection that when I or some other person present expressed astonishment at the sudden cessation of the onslaughts of the "Gazette" upon the measure during its pendency in the legislature, Mr. Johnson, turning to someone who had remarked that the "Gazette" had good reason for its course, said:* 'I SPIKED THAT GUN.'"

The *Gazette*, published at Little Rock, was then, and is now, the leading Democratic newspaper in Arkansas. Charles B. Johnson had been a Confederate, and after the war was a Democrat, and Mr. Fishback now abruptly changes the examination of the witness, Walker, to another class of bonds.

"What amount of Little Rock & Fort Smith Railroad bonds did Mr. Johnson own?"

Answer: "I saw a statement in writing over the signature of William P. Denckla, sent by him to the administratrix, since Mr. Johnson's death, that the bonds coming to her estate were $370,000. This is my recollection. I have since understood that the

real amount was over $400,000. I am uncertain as to the amounts, but this is my recollection about it."

To James M. Collins, another witness sworn at this time, Mr. Fishback caused to be read the testimony of William Walker as here presented, down to and including the spiking of the *Gazette's* gun, and he asks this witness: "Is that your recollection of the conversation?"

Answer: "It is. I recollect it distinctly."

Mr. Walker was now re-called and is asked this question:

"In your testimony, written out by yourself, you allude to Mr. Johnson's having 'spiked the *Gazette*.' This, unexplained, may do an injustice. Did I not understand you, when you first mentioned this subject to me several years ago, when fresh in your mind, to say that Mr. Johnson exonerated Mr. Woodruff" (Mr. Woodruff was one of the proprietors of the *Gazette*) 'from any participation in these frauds?'"

Answer: "My recollection is, that he left the impression on my mind that Mr. Woodruff was not implicated. I do not remember now who was editing the *Gazette*, or to whom he alluded, but do not think it was Mr. Woodruff. I think he had reference to some one else connected with the paper."

At a meeting of the full committee, held at Little Rock, February 2, 1877, Mr. Woodruff (Wm. E. Woodruff, Jr.) was sworn and asked this question only:

"Do you know of any frauds committed in connection with the funding of any State bonds?"

Answer: "I do not; nothing."

February 5, 1877, the full committee met again at Little Rock, when Maj. W. D. Blocher, having been called and sworn, testified as follows :

"I was connected with the *Gazette* in 1869, at the time the Funding Act of April 6th, 1869, was pending. I have no knowledge of any money, or bonds, being paid or offered to any body connected with the paper to secure its influence or for any other illegitimate purpose."

The testimony disclosed nothing further that bore upon the attitude of the *Gazette ;* and while Mr. Woodruff and Maj. Blocher were considered as exonerating themselves personally, they were not the only parties understood to be connected at that time with the management of the *Gazette*, and there still stood its abrupt and significant silence at a critical juncture in this matter ; the statement of Mr. Walker that Mr. Johnson had reference to some one connected with the *Gazette*, *other* than Mr. Woodruff as he (Walker) thought, and the direct and positive statement of Mr. Johnson with reference to this sudden silence of the *Gazette* (which seems to have been conceded) that "he had spiked that gun "— testimony confirmed also by the witness Collins.

The paternity of this funding bill, or who were seeking to have it drawn, the committee found it very difficult to ascertain. Republican witnesses swore they knew nothing about its authorship, and Democratic witnesses who were charged to have drawn it, gave similar testimony. The nearest approach to finding out, specifically, what man or men were interested in having it drawn — a bill whose authorship

seems still to be a mystery — is found in the testimony of Dr. R. G. Jennings.

Question by Mr. Stubbs.

"Who drew the bill?"

Answer: "I do not know. Gov. Garland told me that he had been approached on the subject, but had refused. Garland said *it was Charles B. Johnson*, as I understood. In my frequent conversations with Garland, he said he knew that these men had to have the services of some lawyer here, who knew all about the laws pertaining to the matter."

As nearly, therefore, as location appears to be possible, the authorship of this bill was quite as likely Democratic as Republican.

Again, speaking of testimony taken by this committee, Mr. Fishback says, on page 313:

"A Republican State Senator who was deep in the inside of matters, after warding off question after question by the chairman, finally admitted that his opinion was, that the lobbyists, naming them, got $870,000, as their share."

We have before us the majority and minority reports of this committee and the testimony taken, as printed in pamphlet form at the office of the *Gazette* at Little Rock, and there cannot be found from the beginning of this document to its end a single word in support of the statement last above quoted.

If any Republican State Senator, who appeared before that committee, warded off question after question the fact does not appear, and there is no admission by any such witness that lobbyists received $870,000, or any other sum, as their share of the Hol-

ford Bonds, nor is there any "naming" whatever of such lobbyists.

The majority report of this committee was signed by Mr. Fishback as chairman, and presumably he wrote it. On page 312 of "Why the solid South?" this report is supposed to appear, but is, in fact, so badly garbled, and for the evident purpose of avoiding any allusion to Democratic corruption, that the original report and this mutilated affair will both be now presented. The latter, which is intended for consumption by "*the business men of the North*," ran as follows:

"MR. SPEAKER,—

"Your committee . . . have had in evidence before them that there was formed and organized in this city" (Little Rock) "a combination of men called a 'ring,' who had a regular cypher by which they concealed their true names in their correspondence.

"That this 'ring' borrowed money from persons outside the State for the purpose of bribing the funding act of April 6th, 1869, through the legislature; of getting a distribution of the railroad aid bonds . . . and that seventy-five thousand dollars were subscribed by men interested in the levee contracts, with which to purchase the legislation, which made levee bonds receivable for the lands of the State.

"(Signed by nine of committee, one Republican dissenting)."

The *full* majority report, as printed by the *Gazette*, was the following:

"MR. SPEAKER,—

"Your committee upon whom the House of Representatives devolved the very unpleasant duty of investigating the 'frauds connected with the legislation upon and the issue of the Holford railroad aid and levee bonds of this State,' have directed me to report that they have discharged that duty with such diligence and thoroughness as their limited time and opportunities have

admitted. Your committee, however, feel it due not less to themselves than to the House, to express their regret that the fast approaching termination of the session of the general assembly, and the imperative necessity for a final adjustment of our finances, have compelled them to conduct their investigation with rather more haste than they could otherwise have wished.

"And yet they are not without hope that their labors have been sufficiently productive to convince the House and the country, even as your committee are convinced, of the utterly fraudulent character of both the legislation upon and issue of the bonds, which have constituted the subject of their inquiries.

"They have had in evidence before them that there was formed and organized in this city a combination of men, commonly called a 'ring,' who had a regular cypher by which they concealed their true names in their correspondence; that this 'ring' borrowed money from persons outside of the State for the purpose of bribing the funding act of April 6, 1869, through the legislature, and of getting a fraudulent distribution of the railroad aid bonds; that in addition to paying money and bonds for the necessary legislation, the bonds themselves were distributed *among Democratic* and Republican politicians in such a manner as would fortify the iniquity against a repudiation by the people; that in order to silence all objection against their frauds while in progress of consummation, corruption money was otherwise used; that the railroad aid bonds were issued in such palpable violation of law, and at a time when at such a heavy discount as necessarily to presuppose a deliberate fraud; and that seventy-five thousand dollars were subscribed by men interested in levee contracts, with which to purchase the legislation which made levee bonds receivable for swamp lands.

"Yet in the midst of this carnival of fraud your committee find exceeding gratification in reporting that several gentlemen, whose names had been more or less mixed up with these iniquities by common rumor, have, in the opinion of your committee, completely exonerated themselves from all complicity in so disreputable transactions.

"But as the resolutions, under which your committee are acting, charge them with a mere investigation of facts they deem it improper to present any conclusions of their own; and for the

same reason they forbear any recommendations in the premises, but beg merely and respectfully to submit, for your consideration, the testimony they have taken.

"Very respectfully,

W. M. FISHBACK, *Chairman*,
T. J. STUBBS, C. W. WALKER,
A. S. MCKENNON, J. P. EAGLE,
A. DAVIS, E. P. WATSON,
LEWIS W. DAVIS, I. R. BARNETT."

It can now be readily perceived that this report, as it appears in "Why the solid South?" is utterly at variance with fairness of presentation; and the writer, who is personally acquainted with Mr. Fishback, is greatly surprised that he should so distort his own work.

The minority report was very short.

"MR. SPEAKER,—

"I do not wish to be considered factious, but I cannot agree to the 'summing up' of the evidence as reported by a majority of your committee. Without *now* criticising the majority report, I submit *the evidence as taken*, without comment, as my report, asking each reader to draw his own conclusions.

"T. M. JACKS."

As shown, *even by the majority report*, there were some *Democratic politicians* who were as deep in the mud of these transactions as certain Republicans were in the mire. The pot should not call the kettle black.

While, therefore, the writer does not, for one, approve of or attempt to excuse all the public conduct of certain officers of the reconstruction government in Arkansas, still let us see whether or not there was anything good in Israel.

In the month of August, 1880, Mason W. Benjamin,* a prominent lawyer of Little Rock, made a speech in that city, from which we extract the following :

"I think it can be truthfully said that under all administrations, both Democratic and Republican, that with few exceptions, both the civil and criminal laws have been faithfully executed — much more so than in any other Southern State ; but notwithstanding the laws have been generally executed, still Gov. Roan before the war had to call out the militia to suppress some trouble in Marion County ; and Gov. Clayton, in 1868, had to call out the militia to suppress the Ku-Klux, which he succeeded in doing.

"By his prompt action in calling out the militia we escaped the many Ku-Klux outrages that were perpetrated in most of the Southern States. On account of this Klan being broken up so soon in this State, *we stand* AS THE ONLY SOUTHERN STATE *that has conducted herself so as not to have been investigated by congressional committees on account of outrages committed by the Ku-Klux.*

"These reports in the other Southern States form a chapter in their history blacker than any known in the civilized world. The prompt suppression of the Ku-Klux in this State saved the

* The day before the congressional election of 1888 in Arkansas, John M. Clayton being the Republican candidate and Clifton R. Breckenridge the Democratic, Mr. Benjamin was sent to Conway County by the Republican State Central Committee with instructions to "use his best endeavors to secure an honest election." On arriving at the depot at Morrillton he was "confronted by an infuriated mob of several hundred persons," as we are told, "who threw him from the cars, assaulted and beat him, pulled from his face handfuls of beard, and met all of his appeals to their humanity with kicks and cuffs, and by shooting him in the forehead with a weapon of sufficient force to imbed and flatten a bullet on his skull. A short time after this Mr. Benjamin died, telling his wife, before his death, that his sufferings were due to the treatment received at the hands of the Morrillton mob."

State that disgrace ; and every man of every party who feels a pride for the good name of the State ought to rejoice over the act."

Before we proceed further with Mr. Benjamin, let us here interrupt him. The Ku-Klux Klan was not a bugaboo or a myth ; nor was it the comparatively harmless band of night riders that "the business men of the North" are asked to consider it in the description of the organization as given in "Why the solid South?"

We quote from the chapter on "Reconstruction in Tennessee" (page 210):

"The Ku-Klux Klan was a mysterious organization that wore grotesque disguises ; that paraded at night and that seemed to have neither starting point nor destination. It appeared unexpectedly and disappeared suddenly. It never entered in its paraphernalia the larger cities or centers of population. Its movements were entirely on horseback, the horses often with muffled feet and with trapping sufficient to conceal their identity on a casual view. Their numbers were indefinite. Sometimes many would appear together ; at others, few. No one was found to confess that he knew who they were, whence they came or whither they went.

"Sixteen years after this, in 1884, a history of the Ku-Klux Klan was published in Nashville, in which the fact is disclosed that it originated with a coterie of young men in Pulaski, Giles County, this State, in May, 1866, and was designed by them wholly and purely for amusement ; that the amusing features of the initiation were so decided, the membership increased so rapidly, that by 1868, it had spread from Virginia to Texas, and its original design had been greatly perverted ; that its chief officer had lost control of its members or their actions ; that it was never in any sense a military organization, as alleged by Gov. Brownlow; that it claimed that many of the crimes and outrages committed in its name were those of parties who used their disguises to gratify personal spites, and so avenge private griefs; and that it disbanded in March, 1869."

And thus in softened phrase is this bitterly proscriptive political organization brought again to the attention of the American people. It did indeed spread from Virginia to Texas.

Although Gov. Brownlow may have so regarded it, it was not generally understood in the South to be a military organization. Nor was it at all necessary that it should be, in order to accomplish its malignant purposes. Those purposes were the intimidation of Southern Republicans, white as well as black; the "amusing features of the initiation" were a call to terrorism and murder, and the actual facts can not be glossed over by this apologetic, milk and water statement.

The "crimes and outrages" committed by this Klan were political; and they form a chapter in the history of the country that will pillory forever the prejudice and the hate of those men who still publicly justify the "Lost Cause"; and while they may not themselves have been the "Midnight riders in grotesque disguise," *they were the power behind* and could easily have called off their murderous followers, had they thought proper to do so.

In Arkansas we fortunately had a governor in Powell Clayton firm enough and stern enough to crush out, with his militia, these political assassins. Nor were his militiamen exclusively "Negro Militia," as Mr. Fishback terms them. Whole companies were composed of white men, many of whom were taxpayers, and when the State became tranquil again this militia was disbanded.

We return to Mr. Benjamin.

In the year 1874 a new Constitution was adopted in the State of Arkansas, and in speaking of the first Legislature that assembled under it — a body overwhelmingly Democratic — Mr. Benjamin said :

"This Legislature wanted to change the time of the city election in Little Rock, so as to oust the Republican incumbent, and was afraid to do so by a bill for that purpose. So they re-enacted the chapter in Gantt's Digest upon incorporation of cities, with a change of the time for an election, and a few other trivial changes to make a show. They passed a peonage law and called it a regulation of the labor system *and destroyed the priority of a laborer's lien that a Republican law had given to all laborers on the production of their labor.*" (Cries of "That's so ; give it to them ! ")

"They passed an act to steal and divide among themselves and other State officers forty thousand dollars of the School fund, that the Republicans had saved and invested in United States Government bonds, and through every emergency had refused to touch.

"The legislature of 1877 " (likewise overwhelmingly Democratic) "passed an act to double the price of State lands ; repealed the donation law, which permitted every citizen to donate lands that had been forfeited for taxes, and passed an act to sell men in jail to the highest bidder. Under this act one negro was sold in this county ; then the negroes made up a purse to buy the first white man that was sold. This made that law in this county a dead letter. No other man was ever offered for sale.

"The legislature of 1879" (similarly strong as a Democratic body) "passed an act to sell land for

taxes, without advertising. It passed Johnson and Reynold's steal bill, which was the greatest fraud, the greatest swindle, the greatest robbery of the people, for the benefit of two individuals, that has ever been perpetrated by any legislature in the State of Arkansas. Lycurgus L. Johnson and Gen. D. H. Reynolds * made a contract to build a levee, and were to receive 90 and 80 cents per cubic yard, and $150 per acre for draining, and were to take their pay in levee bonds. They did the work at these enormous figures, and received a part of their pay in levee bonds, and when all the levee bonds were issued that could be issued under the act, there was still due Johnson & Reynolds in levee bonds the sum of $87,511.20. Johnson & Reynolds owed the State upon real estate bank mortgages the sum of $94,590.98. These figures I get from the records of the chancery court. So taking each debt at its face value Johnson & Reynolds owed the State a balance of $7,079.78. The real estate bank debt could be paid in real estate bank bonds, that were worth about three times as much as levee bonds. Now our honest Bourbon legislature passed a bill to settle the matter, and to cover up their rascality as much as they could, recited various lies in a "whereas" and a "whereas," and thus enacted that they would not only give Johnson & Reynolds the $7,079-.78 balance that they owed the State, but required the auditor to issue to Johnson & Reynolds treasurer's certificates to the amount of $32,309.07, making a gift of $39,388.80 to Johnson & Reynolds. This is taking each debt at its face value, but if we estimate the cash

* Gen. D. H. Reynolds was a prominent Confederate officer in the war of the rebellion and a Democrat afterwards.

value of each the fraud is still greater. The cash value of $87,511.98 in levee bonds was $8,751.19, and the cash value of $94,590.98 in real estate bank bonds was $28,377.29, which makes a difference in favor of the State of $19,626.10. This added to $32,309.07 makes the neat little sum of $51,935.17 that the legislature stole from the people and gave to Johnson & Reynolds.

IMPROVEMENTS.

"Let us examine the record of the two parties in regard to improvements. In twenty-five years under Democratic rule there was built in this State a rickety old squeaking railroad from Little Rock to DeValls Bluff, a distance of about fifty miles. This was the only railroad in the State when the Republicans came into power. During the five years that the Republicans ruled, there were built in this State between six and seven hundred miles of railroad; so that when the Republicans went out of power you could travel from the capital to almost any part of the State by railroad.

"During the six or seven years the Democrats have been in power, as the successors of the Republicans, there have been built in the State about one hundred miles of railroad. So there have been built under the thirty odd years of Democratic rule about one hundred and fifty miles of railroad to about six hundred and fifty miles during a Republican rule of a little over five years.

CHARITABLE INSTITUTIONS.

"During all the long period the Democracy were in power in this State, both before and since the war,

they never built and maintained a single charitable institution of any description. During the time the Republicans were in power they made great efforts to protect and take care of the unfortunate. They established, built and maintained a beautiful asylum for the blind of the State, a place where the unfortunate sightless boys and girls of the State can be educated, and learn some trade that enables them to make a living. They also established, built and maintained a beautiful asylum for the deaf and dumb, a place where the unfortunate mutes of the State can obtain an education. They also passed a law establishing an asylum for the lunatics, and an appropriation to carry it into effect; but before anything could be done under it, the Democracy came into power and they have spent ten thousand dollars of the appropriation, but have built no asylum.

SCHOOLS.

"Let us briefly examine the records of the two parties upon the subject of common schools: upon the subject of providing means for educating the children of the rich and poor alike.

"Congress granted to this State 960,000 acres of land for the purpose of establishing common schools. Did the Democracy either establish schools or create a school fund from which we now draw large interest, as is the case in most of the Western States, from this magnificent gift? Let us put their own witness upon the stand, so they cannot charge it to be a Radical lie, and see what progress they made for the first twenty years.

"Hon. David B. Greer, Secretary of State and School Commissioner, in his report in 1856, says, "They have about *twenty-five* common schools organized and sustained by the common school fund." This gives them one and a quarter schools for each year of their rule up to that time. What great progress they made! What wonderful facilities they furnished for educating the children of the State! Does it not seem to you that any political party that makes such *exceedingly liberal* provision for educating the children of the State ought to be kept in power forever?

"But, fellow citizens, I am sorry to inform you that the Bourbon Democracy were unable to hold out at such an exceedingly liberal rate, for in four years, in 1860, Hon. S. M. Weaver, then Secretary of State and School Commissioner, reported that there were only *ten* schools in the State. This was the last report before the war.

"What did the Democracy do with the 960,000 acres of land given by Congress for the sole use of schools, and worth, at least, three million dollars. Let us examine their own witness again and see what proof can be found. Secretary Greer in his report says:

'We see the cotton fields flourish upon them, but not even a log school-house is reared for the education of the poor youth of the township.'

"Yes, nearly the whole of these lands and the funds arising from the sale of the lands have been diverted from the school fund and completely squandered.

. . .

"What did the Republicans do when they came into power? How many schools did they add to the ten Democratic schools?

"The first year they passed a good, efficient school law and added to the ten school houses built by the Democracy, 622, making at the end of their first year 632 schools. The second year they organized 240 schools and the third year, 417; the fourth year, 302 and the fifth year, 187,—1,768 schools in five years, against the Democracy's twenty-five in twenty-four years.

"In 1869, the second year of Republican rule, there were out of the 176,910 school children in the State, 67,412 attending the public schools; and in 1870, the third year of Republican rule, out of 180,274 school children, there were 107,908 children attending the public schools provided by the Republicans.

"In 1874 the constitutional convention which contained a large Democratic majority"— and now the reconstruction period was over with —"abolished in their new constitution the office of State school superintendent, so as to get as near back to old times as possible, and under their rule the schools soon ran down. The very first legislature that convened robbed the School fund of $40,000 in United States government bonds, that the Republicans had saved during their administration, and divided it among themselves and other State officials. This was their first *aid* to schools. By the time the next legislature met, the people began to be clamorous to have the schools the Republicans had established put into operation, and to appease this clamor the legislature of 1875 created the office of school superintendent, and also pretended to enact a school law, but it was just a reënactment of the Republican school law in Gantt's Digest, except that it provided that all funds, etc., that under the Republican law went to the school fund, might be

invested in Arkansas bonds, instead of United States government bonds; and that the interest on the school fund might be appropriated to the payment of salaries, instead of requiring it only to be applied to teachers' wages; and that county examiners or superintendents should be appointed by the county court instead of being elected by the school trustees of the various school districts of the county; and that if any school district voted to have no school, and so notified the school superintendent, that they should not lose their proportion of the school fund.

"Some changes were also made as to the time reports were to be presented. All these changes, except the time to make reports, made the school law more inefficient and the school fund more insecure. We find from the reports made by their superintendents that in 1876 they built 25 school houses, and that there were 189,130 school children in the State, and out of this large number *only 15,890 attended school.* We find, also, that in 1877 there were 80 school houses built and that there were 216,475 school children in the State, and out of this number *only 33,747 attended school.*

UNIVERSITIES.

"The Congress of the United States gave the State of Arkansas 46,000 acres of the very best land in the State, while the Democracy were in power, for the purpose of building and sustaining a university of learning. Where is the university they built with this magnificent fund? Nowhere. None was ever built. What has become of this fund? Squandered long since.

"During the Republican administration of the State, a grant made by a Republican Congress of 150,000 acres of land for the purpose of building a university of learning came to their hands. Did they do like the Democracy — squander it? No, they built at Fayetteville one of the most magnificent university buildings in the United States! They not only managed to build this fine university, but had the same endowed with almost one hundred and fifty thousand dollars, and put in successful operation. This university is now the great pride of everyone, irrespective of party, in the State. It will be a monument to the Republican administration 'as long as grass grows and water runs.' (Applause, and cries of 'preach the word.')"

Thus far Mr. Benjamin. He was a careful, painstaking lawyer, and not given to making erroneous statements. Of the university to which he alludes, the Arkansas Industrial, the writer was the first president, a trustee and treasurer of the board; and it is not improper, perhaps, for him to say, that from the beginning this institution was prosperous and is prospering to-day.

It was created and put in successful operation under Acts of the Legislature of the State, passed in the years 1871 and 1873, *during the reconstruction period;* laws that were intended to secure and build up for Arkansas a great university, which, while not neglecting the usual curriculum of American colleges, should specially provide for instruction in agriculture and the mechanic arts.

On the second day of July, 1862, President Lincoln approved the Act of Congress donating public lands

to the several States and Territories which should so provide, and under this law the Reconstruction Government of Arkansas proceeded. Several localities competed for this university, but it was finally located at Fayetteville, Washington County, the county delivering to it $100,000, in its bonds, payable thirty years from date, with interest at eight per cent., payable semi-annually ; and the town of Fayetteville, $30,000 of its bonds, likewise running for thirty years, with interest similarly payable, and at the same rate per cent.

The next thing to do was to obtain the 150,000 acres of Agricultural College Scrip allotted to the State. Temporary buildings were erected at Fayetteville ; the university was thrown open to pupils, and when the required number was obtained to secure this scrip, the fact was telegraphed to the Secretary of the Interior. The right of the university to the Congressional donation seemed now to be complete, and the writer was sent to Washington by the Board of Trustees to secure its issuance, but arriving there he was told by the Secretary of the Interior that the university could not have this scrip until the State of Arkansas should pay an indebtedness due from it to the trust fund of the Chickasaw Indians, *a debt contracted when the Democracy was ruling the State*, and amounting then, principal and interest, to at least $250,000, and as security for the payment of which the government held the bonds of the old State Bank.

Shortly after Arkansas was admitted into the union it borrowed from this Chickasaw Indian fund a large sum of money. On the first day of January, 1842, the amount of unpaid principal was $90,000. Up to that

date the interest had been met, but nothing had subsequently been paid, either of principal or interest, and the sum of $250,000 was now due. The secretary stated, however, that if Congress would authorize him to receive the new funded bonds of the State, for the bonds held by him, funding principal and interest, he would deliver the old bonds and issue the college scrip. A bill to meet this exigency was drawn at once, placed in charge of Senator Powell Clayton and introduced in the Senate in January, 1872. In March of the same year another bill was introduced in the House of Representatives by Hon. James M. Hanks of Helena, that contemplated the issuance of this scrip without reference to the payment of this old debt due from the State. The House bill passed that body near the close of the session, and taken to the Senate was there the subject of an animated discussion that resulted in an amendment, to the effect that this scrip should not be delivered to the authorities of Arkansas until the State should make some satisfactory arrangement, by which its bonds, principal and interest, then held by the United States as Indian trust funds, should be funded in the new bonds of the State, authorized to be issued for this purpose. This, as was announced on the floor of the Senate by Senator Clayton, the State was ready to do; and, to use his language, "the very moment the Secretary of the Interior comes forward and proposes to have these bonds funded the State authorities will do it."

With this amendment the bill passed the Senate the day of the adjournment of Congress, and being hurried into the House, where it was compelled to go again in consequence of this amendment, it was there, through

the indefatigable exertions of Mr. Hanks, and amid all the confusion of the closing hours of a Congress, pressed to a vote, and the measure became a law.

This scrip was now issued and sold at ninety cents an acre — as high a price, it is believed, as was obtained for similar holdings by any State in the Union, when not located on the public domain by the receiving university itself, and much higher than that for which some of the State recipients of this benefaction are known to have sold.

The proceeds of the sale, less ten per cent. permissibly used in paying current expenses of the university, were made a building fund, the bonds of the county of Washington and town of Fayetteville becoming an endowment. The university building, perhaps the finest structure of the kind in the Southwest, holds a most commanding position in the city of Fayetteville, and, as Mr. Benjamin has well said, this university is now the great pride of every one in the State, irrespective of party.

Under an act of the Legislature, approved April 25, 1873, the trustees of the university were also authorized and empowered to select a suitable site for a Branch Normal College, for the special use of the colored people, and to organize this adjunct in harmony with the main institution at Fayetteville. This was promptly done, and the branch college located at Pine Bluff, in the Southeastern portion of the State, was in successful operation when the reconstruction period terminated.

And yet Mr. Fishback *does not say one word* in favor of what was accomplished for the substantial good of the State during Republican rule.

He finds place, however, aside from many other misleading statements (to which we have given some attention) for a remark that is equally at variance with a fair presentment of the facts.

In comparing Republican with Democratic expenses, he says, page 308 : " But it should be remembered that a very large part of the expenses under Democratic rule is for care of State Institutions built by Democrats, and not in existence during the Republican *régime*."

To those familiar with the facts this statement is simply ridiculous, and yet it should not be lightly considered, when the object of " Why the solid South ? " is borne in mind, to wit : The influencing of opinion in the North. In short, if the presentation made by the other Southern States *is as unfair and unjust* as that for Arkansas, then " Why the solid South ? " as we have already said, *is*, *by no means*, entitled to the confidence of those to whom it is dedicated.

Moreover, there comes to the surface here and there in this book, a vein of justification of the " Lost Cause," and criticism of the measures of the General Government for the restoration of law and order in the South, that will *not* meet with the approval of those men who were loyal to the Flag, whether in the army or out of it, at a time when the very life of the Nation hung tremblingly in the balance.

We now ask attention to some important facts in the recent political activities of the country, that bear directly upon the immediate future, and show a condition of affairs that demands correction.

The act making an apportionment of Representatives in Congress among the several States under the eleventh census, approved February 7, 1891, provided that after the 3d of March, 1893, the House of Representatives shall be composed of 356 members, to be apportioned among the several States, as designated in the act. Under this law the House of Representatives of the Fifty-third Congress came into being, and is now in session.

The Standing and Select Committees of this Body are 56 in number, and the House itself, having a Democratic majority, it was to be expected that the Democratic party would hold the *personnel* of the majority in each of these Committees. This it does.

In the official Congressional Directory for the Fifty-second Congress, and in similar publications made with reference to many previous Congresses, the Standing Committees (which constitute a very large proportion of the entire number) are largely arranged in the order of their importance.

In the official directory for the Fifty-third Congress this arrangement is departed from, and these committees are now, for the first time, presented in alphabetical order, and with no separation of the standing from the select committees, which has hitherto been the case.

Taking these committees, however, in their entirety, we find that of their chairmanships the South has 33 and the North 23; and examining the more important of them in the order observed for many years, we find that when 34 are told off, a series on expenditures in the various departments of the government is arrived at, following which there is but one committee of special prominence — that on "Rules."

Adding this committee to the 34 it will be seen, upon examination, that of the chairmanships of the 35 the South has 22 and the North thirteen.

Their assignment is the following: To the South: "Rules" (the Speaker chairman), "Elections," "Ways and Means," "Appropriations," "Judiciary," "Coinage, Weights and Measures," "Inter-State and Foreign Commerce," "Rivers and Harbors," "Agriculture," "Foreign Affairs," "Post-Offices and Post Roads," "Public Lands," "Territories," "Railways and Canals," "Private Land Claims," "Public Buildings and Grounds," "Levees and Improvements of the Mississippi River," "Education," "Pensions," "Claims," "District of Columbia," and "Revision of the Laws," *twenty-two.*

To the North: "Banking and Currency," "Merchant Marine and Fisheries," "Military Affairs," "Naval Affairs," "Indian Affairs," "Manufactures," "Mines and Mining," "Pacific Railroads," "Labor," "Militia," "Patents," "Invalid Pensions," and "War Claims," *thirteen.*

Two of the Democratic members of the Committee on "Rules" are from the South — one from the North.

Of the nine Democratic members of the Committee on "Elections," the chairman and five other members are from the South, and three from the North.

The first, second, third and fourth places in the Committee on Ways and Means are filled by Democrats from the Southern States; and of the *eleven* Democratic members of this committee *six* are from the South, *five* from the North.

In the Committee on Appropriations the first, second third and fourth places are likewise held by Southern

Democrats ; and of the *eleven* Democratic members of this committee *seven* are from the South, *four* from the North.

The chairman of the Committee on the Judiciary is from Texas. The second, third, fourth, fifth, tenth and eleventh places on this committee are also held by Southern Democrats, and of the Democratic members of the committee *seven* are from the South and *four* from the North.

In the Committee on Banking and Currency there are *eleven* Democratic members, *seven* of whom are from the South, *four* from the North.

The chairman of the Committee on Coinage, Weights and Measures is from Missouri ; and of his Democratic colleagues in the committee, *six* are from the South and *three* from the North.

The chairman of the Committee on Inter-State and Foreign Commerce is from Virginia. Second place is also held by the South ; and of the *eleven* Democratic members of this committee, *six* are from the Southern States and *five* from the Northern.

The chairman of the Committee on Rivers and Harbors is from Louisiana. The second, third, fourth fifth, seventh, eighth and tenth places are likewise held by Southern Democrats ; and of the *eleven* Democratic members of this very important committee, *eight* are from the South, *three* from the North, and of these three, one lives at Scituate, R. I., one at Jackson, Cal., and one at Appleton, Wis. New York, Chicago, Boston, Cincinnati, Buffalo, Cleveland, Detroit, Milwaukee, Minneapolis and St. Paul, and on the Pacific Coast, San Francisco and Portland, have no representative whatever on this committee.

When the items of the River and Harbor bill are to be determined upon, so far as the committee is concerned, and these great centers of the nation's wealth are to receive consideration, they must go to a chairman who lives at Shreveport, upon the upper waters of Red River in the North-western corner of Louisiana, and if, perchance, he is temporarily absent, his second in command, who lives at Vicksburg, Miss., will take the chair; and if he, also, should fail to be forthcoming, when a hearing is to be had, the occupant of third place, who hails from Savannah, Ga., will call the committee to order. In his absence, Alabama will follow with a member from Mobile, and should he omit to appear, Virginia will maintain the succession with a member from Warsaw.*

The chairman of the Committee on Agriculture comes from Missouri. Second place is held by North Carolina, third, by South Carolina, and of the *ten* Democratic members of this committee, *seven* are from the South and *three* from the North.

The Committee on Foreign Affairs takes its chairman from Kentucky. Mississippi holds second place, and of the *nine* Democratic members of this committee, *six* are from the South and *three* from the North.

* On the 7th day of March, 1894 (since the above was written), the chairman of the Committee on Rivers and Harbors, Hon. Newton C. Blanchard, of Louisiana, was duly appointed a United States Senator from that State to succeed the Hon. Edward Douglass White, who had been nominated and confirmed as an associate-justice of the Supreme Court of the United States. Hon. Thomas C. Catchings, of Mississippi, who, at the time of this appointment, was second in position on the committee on Rivers and Harbors, has now become its chairman.

North Carolina has the chairmanship of the Committee on Post Offices and Post Roads, and of the *nine* Democrats on this committee, *six* are from Southern States and *three* from Northern.

"Railways and Canals" are presided over by Mississippi — a State whose special prominence in this regard not even a microscope could discover — and "Public Buildings and Grounds" are remitted to the guidance of a member from Fayette Court House, Ala. Of the *nine* Democrats in the Committee on Claims, *five*, including the chairman, are from the South, *four* from the North, and in the Committee on Education, presided over by a member from Tennessee, *six* of the Democratic majority are from the South, *two* from the North. In short, the preponderance of Southern Democrats in these important committees runs through the list, and embraces the majority in party membership on *twenty-four*. In three, "Merchant Marine and Fisheries," "Railways and Canals" and "War Claims," there are severally *four* Northern Democrats and *four* from the South, and in *eight only* is there a majority of Northern Democrats in the party membership.

The Democrats in the Committee on "Invalid Pensions" come entirely from the North; but the Committee on "Pensions" has a chairman from Georgia, and of its Democratic members *four* are from Northern and *five* from Southern States.

It does not follow that a member of Congress will necessarily be his own successor, or that the dominant party in one Congress will control the next, yet Congressional committees have become so important a factor in shaping the legislation of the country, that, next

to the choice of a Speaker, the settlement of membership upon these committees is the great source of anxiety — a coigne of vantage most eagerly sought after.

Nor is this simply a matter of individual ambition. Great governmental policies can be made or marred by unity of action in these committees, and it is humiliating to see how the House of Representatives of the Fifty-third Congress is controlled by men, many of whom, thirty years ago, were straining every nerve to disrupt a nation, the recipients of whose mercy and pardon they are to-day.

There are, indeed, more Democrats in this Congress from Southern than from Northern States, and as a rule their prior service is longer. These facts would naturally justify a greater prominence in committee positions, and where official tenure is the result of fair elections, there can be no just cause of complaint. But in numerous instances in the Southern States representation in this Congress is outrageously disproportioned to the vote cast, and utterly at war with the ratio. A fraudulent numerical strength is thus secured, and power and influence that should be swept away are brought to bear upon legislation.

Let us take another view of the situation. The same law that regulated the membership of the Fifty-third Congress provided also that the election districts should not only be composed of contiguous territory, but that they should "contain, as nearly as practicable, an equal number of inhabitants."

The ratio of representation based upon the eleventh census taken in the year 1890, was established at 173,901. At the general election of November 8, 1892, to choose Presidential Electors, there were also elected in the State of New York its members of the Fifty-third Congress. Their number is 34, and the aggregate vote cast at this election for all candidates was 1,296,645.

The aggregate vote cast at the election of members in the same Congress from the States of Alabama, Florida, Georgia, Mississippi, South Carolina, Virginia, Tennessee and Louisiana was 1,255,105, a total less by 41,540 than that of the single State of New York, and yet these late rebellious States have *62* representatives in the Fifty-third Congress, as against *34* from the State of New York.

New York has the chairmanships of the Committees on "Naval Affairs," "Patents," "Expenditures in the Department of Justice" and "Library," the last a joint committee, while the States to which we have just referred furnish the presiding officers for the Committee on "Rules" (the Speaker chairman) "Elections," "Inter-State and Foreign Commerce," "Territories," "Railways and Canals," "Rivers and Harbors," "Public Buildings and Grounds," "Levees and Improvements of the Mississippi River," "Education," "Pensions," "Expenditures in State Department," "Expenditures in Navy Department," "Expenditures in Post-Office Department," "Expenditures in Interior Department," and "Expenditures in Department of Agriculture," in all *fifteen.*

The States of New York and Ohio cast at their elections, held to choose members of this Congress,

2,135,502 votes, and have together *55* representatives. The *eleven* rebellious States, adding North Carolina, Arkansas and Texas to the eight above mentioned, cast at their elections for members of the same Congress, an aggregate of 2,073,714 votes — 61,788 less than the number cast in the two States of New York and Ohio, and yet they have *90* representatives — *35* more than the States of Ohio and New York.

The States of Colorado, Michigan and Connecticut cast at their elections held for the same purpose 721,027 votes, and together have 18 representatives.

The States of South Carolina, Georgia, Alabama, Florida, Mississippi and Louisiana cast 718,503 votes, — 2,524 less than the three Northern States last enumerated, but they have, unitedly, 42 members in this Congress, as against the 18 of Colorado, Connecticut and Michigan.

The State of Indiana cast 549,953 votes. The States of South Carolina, Georgia, Florida, Mississippi and Louisiana cast 485,227 votes — 64,726 less than the single State of Indiana, and yet these *five* Southern States have 33 representatives in the Fifty-third Congress, while Indiana has but *thirteen.*

The State of Iowa cast 441,392 votes and has *eleven* members of Congress. The States of South Carolina, Georgia, Mississippi and Florida cast 371,072 votes, 70,320 less than the number cast in the State of Iowa, still these *four* Southern States have 27 representatives in this congress, as against *eleven* from Iowa.

The State of New Jersey cast 334,882 votes, and has *eight* representatives in this Congress. The States of Mississippi, South Carolina and Georgia cast 335,650 votes — only 768 more than the number polled in

New Jersey alone, yet these *three* Southern States have 25 representatives in the same Congress, one more than *three* times as many as the State of New Jersey.

The State of California cast 227,061 votes and has seven members in this Congress, while the State of Mississippi likewise has *seven*, representing an aggregate vote of only 51,024.

The State of Minnesota has *seven* members and cast 259,215 votes. The State of South Carolina cast but 68,626 votes, still it has *seven* members in the same body.

The States of New Hampshire and Maine have together *six* members in the Fifty-third Congress, and cast unitedly 213,378 votes — 99,223 more than were cast in Louisiana, and yet this Southern State likewise has *six* members in the same congress.

There are the following *eleven* Congressional Districts in the Northern States, in each one of which more votes were cast in the election of members of the Fifty-third Congress than were polled for the same purpose in the entire State of Mississippi.

The First Illinois, consisting of a portion of the city of Chicago and a number of towns in the County of Cook — 79,966, represented by J. Frank Aldrich, a Republican.

The Seventh Kansas — 37 counties — 66,464, represented by Jeremiah Simpson, a Populist.

The Third Illinois, part of Chicago, 66,044, represented by A. C. Durborow, Jr., a Democrat.

The Fourth Illinois, part of Chicago and several towns in Cook County — 66,016, represented by Julius Goldzier, a Democrat.

The Fourth Pennsylvania, eight wards in the city of Philadelphia — 60,618, represented by John C. Reyburn, a Republican.

The Seventh Indiana—*four* counties—57,051, represented by W. D. Bynum, a Democrat.

The Second Connecticut, the counties of Middlesex and New Haven, 54,219, represented by J. P. Pigott, a Democrat.

The Fifth Pennsylvania, seven wards in Philadelphia — 54,064, represented by Alfred C. Harmar, a Republican.

The Twenty-Fourth Pennsylvania — three counties and several additional boroughs and townships — 52,383, represented by William A. Sipe, a Democrat.

The Twenty-Eighth New York, the counties of Wayne, Cayuga, Cortland, Ontario and Yates — 51,907, represented by Sereno E. Payne, a Republican ; and the Second Colorado, 42 counties — 51,806 — represented by John Bell, a Populist.

The entire vote cast at the elections that resulted in the choice of these *eleven* men was 660,538, while the States of South Carolina, Georgia, Florida, Mississippi, Louisiana and Arkansas casting together only 623,379 votes, or in other words 37,159 less than were cast in the *eleven* districts mentioned, still have 39 representatives in this Congress, nearly four times as many.

Of these *eleven* men *five* are Democrats, and they represent 295,713 votes, while the 22 Democrats sent to this Congress by the States of South Carolina, Florida, Louisiana and Mississippi represent a voted strength of only 269,227, or 26,486 less than that of their *five* Northern party associates.

The highest vote cast at the election of a single member of the Fifty-third Congress was in the First District of Illinois, where, as stated, J. Frank Aldrich, a Republican, was chosen ; the entire vote of his district being 79,966.

The *lowest* was in the Third District of Mississippi, consisting of ten counties, where Thomas C. Catchings of Vicksburg, a Democrat, was elected, the vote standing :

Republican, ...	159
Democratic, ...	2,495
Total, ...	2,654

and yet the population of the district at the time of this election is given as 184,297.

Here is a difference of 77,312 in the voted strength of two districts, yet having equal representation.

Nor is this all. The exercise of power by these men so elected in the Southern States does not stop with the mere casting of votes in the House. They have received as important positions in committees as though they had been elected under circumstances that brought out a full or even a large vote in their respective districts. Many of them were members of the Fifty-second Congress, and this fact coupled with continuous service in still earlier Congresses has given them the right, in accordance with long established usage in such matters, to expect from a speaker of their own party prominent, if not leading, positions upon the House committees.

In the Fifty-second Congress they obtained both; and they have done so in the Congress now in session.

Mr. Catchings — and we refer to him respectfully — was a member of the Forty-ninth, Fiftieth, and Fifty-first Congresses, as well as the Fifty-second. In the last-mentioned Congress he was chairman of the important Committee on "Railways and Canals;" second in position on the still more important Committee on "Rivers and Harbors," and in the Committee on "Rules," which exercises more power than any other committee in the House of Representatives (a committee of five men), was one of the three Democratic members, all of whom were from the late rebellious States.

As we have stated, the Fifty-third Congress is now in session. Its standing committees have been appointed, and Mr. Catchings is again, as in the Fifty-second Congress, chairman of the Committee on "Railways and Canals;" second in position on "Rivers and Harbors," and on "Rules" stands next to the Speaker. In the councils of his party the extreme meagerness of his vote does not rise in judgment against him, and he is apparently as strong as though the election in his district had been full and fair.

On the other hand William D. Bynum of Indiana (a Democrat who entered Congress at the same time with Mr. Catchings, and whose continuous service runs likewise through the Forty-ninth, Fiftieth, Fifty-first, and Fifty-second Congresses, and at whose election to the Fifty-third Congress 57,051 votes were cast; 6,027 more than were polled in the entire State of Mississippi) simply holds *tenth* place in the Committee on "Ways and Means." At the same time, in addition to the prominence given to Mr. Catchings, Mississippi has the chairmanship of the Committee on "Levees and Improvements of the Mississippi River," and third

place in the same committee; second place on "Foreign Affairs;" second on "Indian Affairs;" third on "Judiciary;" third on "Post Offices and Post Roads;" fifth on "Pacific Railroads;" sixth on "Education;" sixth on "Coinage, Weights and Measures," and seventh on "Naval Affairs."

While United States Senators are not directly chosen by the people, the legislatures that create them are; and the same influences that so largely prevail in the South when Congressmen are to be elected are dominant also in the choice of State Legislators. The result is seen in the composition of the Senate. And the very conspicuous preponderance of Southern Democrats in that body is the direct outgrowth of the same unfairness in elections that has sent so many men into the House of Representatives of the Fifty-third Congress, whose influence and committee positions are in an inverse ratio to the magnitude of the vote in the districts that elected them.

There are 46 Standing Committees in the United States Senate. In this number there are *five* minor committees of which Republicans are the chairmen, and *two* of which the chairmen are Populists. Of the remaining 39 the chairmen of 30 are Democrats from Southern States, and *nine* have Northern Democratic presiding officers. In the entire number of these committees there is a majority of Southern Democrats in 38; a majority of Northern Democrats in *three*, and an equal number from the North and South in *five*. Of the most important committees the North has the Democratic chairmanship of *five*, "Finance," "Immigration," "Naval Affairs," "Pensions" and "Pa-

cific Railroads." The South has the chairmanship of "Agriculture and Forestry," "Appropriations," "Civil Service and Retrenchment," "Claims," "Coast Defences," "Commerce," "District of Columbia," "Fisheries," "Foreign Relations," "Improvement of the Mississippi River and its Tributaries," "Indian Affairs," "Inter-State Commerce," "Judiciary," "Manufactures," "Military Affairs," "Patents," "Post Offices and Post Roads," "Privileges and Elections," "Public Buildings and Grounds," "Public Lands," "Railroads," "Revision of the Laws of the United States," "Rules," and "Territories"—*twenty-four*.

Second place in 22 and third place in 24 of these 29 committees are held by Southern Senators.

In the Committee on "Appropriations" there are *five* Democratic members, the first four of whom are from the South.

On "Claims" there are *four* Democrats, *all* from the South; on "Commerce" *six;* the first *five* of whom are from the South; on "Finance" *six;* the first *two* from the North, the remaining *four* from the South; on "Foreign Relations" *five;* the first, second third and fifth of whom are from the South; on the "Judiciary" *six;* the first, second, third and sixth from the South; on "Military Affairs" *five;* first three from the South; on "Naval Affairs" *five;* all from the South except the chairman; on "Post Offices and Post Roads" *six;* first, third, fourth and fifth from the South; on "Privileges and Elections" *five;* first three from the South; on "Public Buildings and Grounds," *five;* first, second, third and fifth from the South; on "Railroads" six; first, second, third and sixth from the South; on "Rules" three; *all* from the South; on

"Territories" *six;* first, third, fourth and fifth from the South, and on "Pacific Railroads" *five;* three of whom are from the South.

The influence upon legislation of this condition of affairs in the House of Representatives, as well as the Senate, is too obvious for comment; and were elections throughout the South as full and fair as they are in the North that condition would not exist. The reason for it, however, is easily given. It is a virtual suppression of the Republican vote throughout a very large area in the late rebellious States. There are portions of Virginia, North Carolina, Arkansas, and Tennessee, where this is not the fact, and here and there other oases of lesser magnitude; but, in large part the seceding States of War-time are to-day a political desert, where there is no more freedom of opinion as that freedom is expressed in the North than prevails in the shadow of the Kremlin

On the first day of November, 1890, the State of Mississippi adopted a new constitution. In the constitutional convention on the 11th day of September, 1890, Judge S. S. Calhoon, president of the convention, and a delegate from Hinds County, is reported to have spoken as follows:

"It is a law of Divine ordination that the white race cannot tolerate divided sovereignty; and any legislature will have the stamp of idiocy upon it that will assemble such a body as this, with the enormous attendant expense with an object short of this. Let the truth be told if it bursts the bottom out of the Universe. I do not share the apprehension of those who think that any change of the constitution that would have the effect of depriving a great number of the right to vote, would involve the State of Mississippi in a conflict with Congress. . . . *But, if the worst comes to*

the worst, and we lose some of our representation in Congress, we can stand it complacently if allowed to manage our local and State affairs undisturbed. Even the presidency is a matter of insignificance, compared with local self-government. I do not propose to mince matters and hide behind a subterfuge, but asked by anybody *if it was the purpose of the convention to restrict negro suffrage, I would frankly answer:* YES, THAT IS WHAT WE ARE HERE FOR."

The article on franchise in this constitution is a studied attempt to keep within the Constitution of the United States, but in practical application has trifled with justice and converted the ballot into an instrument of tyranny and oppression. The registration of voters provided for was in due time had, and what the result of it was will appear in the following statement, published at the time in many of the newspapers of the country:

"JACKSON, MISSISSIPPI, August 14, 1892.

"How effectually the New Constitution of Mississippi has squelched and destroyed the negro vote in the States, is shown in the registration just completed, which has cut that vote down from 147,205 to 8,615.

"Just think of it! 8,000 voters for over 600,000 population. In 1880 there were 130,278 colored voters, a colored majority of 22,024. To-day the negro males over twenty-one years of age who would be voters in any other State, number 147,205, and the colored majority is 37,105, but the new constitution changes all this, and cuts the 147,205 voters down to 8,615.

"Only *one* colored man in 17 is allowed to vote.

"The late Constitutional Convention of Mississippi was called for the avowed purpose of disfranchising the negroes, so as to render Mississippi safely Demo-

cratic under all circumstances. Senator George warned the Mississippians that the negroes were getting more numerous — were in an actual majority already, and increasing their majority every year — and he advised them, now that it was possible, now that they had political control of the State, to make such changes in the law as would render it impossible for the negroes ever to get in power again, by any combination such as that recently made in Alabama. Senator George won his fight. The convention met and went to work to change the electoral franchise. The first change was to limit the vote to those who can read and write. This, however, was not sufficient. It left some 37,000 negro voters, and as those voters are increasing in number, as the number of educated negroes is steadily increasing, the chances were that the colored vote would soon become a danger. To still further cut down the number of colored voters, a clause was inserted requiring voters to pay a heavy poll tax for the support of the schools. This must be paid long in advance of the election, or the voter loses his electoral franchise. The Democrats argue, and with reason, that the negroes would be careless in the matter of paying this tax or preserving the tax receipts.

"Again, the provision disfranchising illiterate persons disfranchised 10,000 whites, many of them old Confederate soldiers. In order to find a loop-hole for them, the so called "understanding clause" was inserted in the constitution. By this an illiterate voter is granted the franchise if he can understand and explain any clause of the State Constitution read to him. This can, of course, be easily worked in the interest of the white voter. The register reads a simple para-

graph to the illiterate white applicant, who easily explains it; but the negro applicant gets a harder nut to crack about Equity and Chancery Courts, and is rejected.

"The net result of the new constitution is shown in the following registration :—

Whites, over 21 years of age, ...	110,100
Negroes, over 21 years of age, . . .	147,205
White registered voters, ...	68,127
Negro registered voters, ...	8,615

"The new constitution has struck off from the registration 180,563 voters, and converted a negro majority of 37,105 into a white majority of 59,912, a change of 96,617. *One* negro in every *17* is registered; *two* whites in every *three*. The white registration would be larger but for the fact that there is nothing to fear from the negroes. By eliminating the negro vote, the Mississippi Constitution has induced one-third of the white citizens not to register, and the white registration is less than ever before. Every county in Mississippi has a white majority. Last year Bolivar had a majority of negro voters — to-day it is white. Thirty-three counties have less than 100 negro votes. Yazoo County with 6,000 negroes of voting age has only nine registered, or one to each 667. Noxubee is even worse, with only *four* colored voters, or one to each 1,500 colored men. This can best be understood by calling attention to the fact that if the electoral franchise were similarly restricted in Nevada, that State would have but *seven* voters and Rhode Island only *five*.

"In Lowndes County the negroes do slightly better, but even there there is but *one* colored vote to each 310 men. In the Southern tier of counties on the

Gulf, about one negro man in eight or ten is registered, which is the best average.

"The New Constitution of Mississippi renders it impossible for the negroes, notwithstanding they are a majority in the State, to elect a constable. They cannot poll a thousand votes in any Congressional district, except the celebrated shoe-string district, composed of the negro counties along the Mississippi River, and intended to be given to the Republicans, so as to save the other six districts for the Democrats; and even there the negroes cannot poll 2,000 votes.

"Elections have become so certainly Democratic in Mississippi, under the new constitution, that even the whites do not feel interested enough to register, and one-third of them have forfeited the electoral franchise for the approaching election."

This election took place in November, 1892, and was a very emphatic illustration of the great outrage that had been committed upon the Republicans of the State.

The vote for presidential electors, as officially announced, was as follows:

Democratic,	39,965
People's Party,	10,250
Republican,	1,373
Total,	51,588

At the same time, and with substantially the same vote, the State of Mississippi elected seven Congress-

men, while, as we have stated, there are eleven Congressional districts in the Northern States, in each of which more votes were cast at this election than were polled in the entire State of Mississippi.

In other of the Gulf States repression has taken a different form, but is still bold and glaring. And here we quote, at some length, from the minority report of the Committee on Privileges and Elections, in the Senate of the United States, made to that body, January 11, 1894.

The bill then pending, to which this report relates, was one to repeal all Federal statutes having reference to supervisors of elections and special deputy marshals.

FLORIDA.

"The governor appoints for each county a supervisor of registration, who appoints a registrar for each voting precinct.

"The governor also appoints the county commissioners, who appoint the election inspectors for each voting district, and there are the eight ballot boxes, as in South Carolina.

"The Republican convention of Florida in 1892 decided to put into the field no tickets — State, Congressional or National — giving their reasons in their resolutions as follows :

"The Florida election laws are damnable in their conception and fiendish in their operation. They are the result of a long-studied plan to rob the majority of its liberty."

"The resolutions further recite the vote in certain counties, and in the State in 1884 and 1890, as follows:

Counties.	1884.		1890.	
	Dem.	Rep.	Dem.	Rep.
Leon, ...	834	2,198	1,206	60
Duval, ...	1,889	3,387	1,805	284
Marion, . . .	1,494	2,007	1,416	232
Putnam, ...	1,094	1,158	1,126	265
Escambia, . . .	1,896	1,861	1,451	102

"In Orange County the Republican vote in 1888 was 1,515, and in 1890 it was 420.

"The total vote of the State in 1884 was 31,799 Democrat and 28,031 Republican; in 1890 it was 29,185 Democrat, and 4,637 Republican. What has become of the Republican vote?

"The committee further said:

"Robbery, murder, assassination are evidences of the patriotism and of the crimes committed in the interest of Democracy.

"A Democrat was appointed by a Democratic governor as clerk of the circuit court of Osceola County, as a reward for services rendered the Democratic party in destroying the election returns of Brevard County in 1876.

"Another was rewarded for services rendered in robbing 2,000 Republicans of their votes in Leon County, by making him President of the Senate in 1889.

"Deputy U. S. Marshal Sanders went to Gadsden County in March, 1890, for the purpose of serving papers upon Democrats under indictment for election frauds, and was brutally murdered in broad daylight, while in a buggy with a prominent Democrat leader — the fatal shots being fired at such close range that his body was badly powder-burned — and no arrests were made or rewards offered. The Republican vote of Gadsden County in 1884 was 881; in the election of 1890, six months after this murder, there was not a single Republican vote cast in the county.

"Deputy U. S. Marshal L'Estrange was assassinated in Sumter County the same year, while in the discharge of his duties, and again no arrests were made nor rewards offered.

"The Republican vote of Sumter County in 1884 was 524; in 1890 was 51. . . . We denounce the Florida election laws as tyrannical in substance, and the methods and manner of carrying them into effect as infamous and equivalent to a total disfranchisement of the entire Republican party of the State."

LOUISIANA.

"In Louisiana the governor has appointed for each of the 57 parishes a returning officer, who appoints the commissioners and clerks of election. In the Parish of Orleans there is appointed by the governor a supervisor of registration, who appoints the commissioners and clerks of election for the 91 polling places.

"By the act of July 5, 1882, it would appear that the sheriff is made the returning officer outside of Orleans.

SOUTH CAROLINA.

"The governor appoints for each county a supervisor of registration, and also three commissioners of elections at each polling place; and there are, as is well known, eight election boxes to confuse the voters, namely: For governor and lieutenant-governor, 1; other State officers, 2; circuit solicitor, 3; State Senator, 4; members of the legislature, 5; county officers, 6; representative in Congress, 7, and presidential electors, 8.

"The Republican State Committee of 1884 in an address dated October 6, 1884, thus describes the effect of these laws:

"We denounce the registration and election laws of this State as a horrible conspiracy against the rights of the people. The

registration of the voters of this State, as practiced, is a sham, and would be a delusion but for the fearful reality of its injustice and deprivations. Not only is every supervisor of registration an active Democrat, but the position is looked to as a reward for partisan services. Under the provisions of the law, every qualified voter who failed to register prior to the election of 1882 is disfranchised forever, without the supervisor in his discretion deems it advisable to allow a subsequent registration, so that, in effect, the disability attaches only to Republicans.

"We charge that while Republicans are required to personally take the registration oath, that it is not only a common practice for Democrats to register by proxy, but that in many instances local politicians have received the certificates of those Democrats in their vicinity who failed to obtain them through indifference or otherwise, and they remain unissued, without the person votes the regulation ticket.

"We further charge that every possible obstacle is put in the way of Republicans getting new certificates in case of loss, or change of residence, while every facility is extended to Democrats similarly circumstanced. Instances have occurred in which the registration officers have unblushingly stated that they regarded the law as intended to operate against Republicans, and that they should discharge their duties so as to effect that end"

"The registration books cannot be examined, and a list of the names cannot be taken, nor will they be furnished, while a suggestion that the names be published would be regarded as puerile and ridiculous.

"But, even this registration confers no important rights, as the voter can only cast his ballot upon presentation of his certificate of registration. It is the boast of the Democrats that this law has been so manipulated that 30,000 Republicans are disfranchised.

"The twin brother to the registration iniquity is the eight ballot box fraud.

"The commissioners and managers of election are Democrats, selected for their willingness and ability to serve their party successfully. Under the law no one is allowed to read or explain to the voter either of his eight tickets. The Republican voter has to enter the polling place alone; he sees behind the boxes hostile managers eager to entrap him into a mistake. They rejoice in his bewilderment and credulity, and often disgrace themselves in joining in the levity of the Democratic bystanders, who poke fun at and seek to embarrass the ignorant and timid, but honest and earnestly sincere voter.

"At some places he finds the boxes on a revolving table to prevent his acting on information about their respective locations: at others their positions are frequently changed, and innumerable other devices equally detestable resorted to, to distract and cheat the voter out of his purpose to cast an honest ballot.

"With the Democratic voters, however, everything is made easy and pleasant, especially if they are illiterate. They find the desired ticket on top of the appropriate box, and but little heed is given to the presentation of their certificates. Innumerable instances are known in which the Republican voter has been asked for his certificate for inspection, and its being returned with directions to vote it, which through embarrassment is often done, thus losing his ballot and disfranchising himself. These Democratic managers and bystanders engage in a festival of fun as they toll on and mislead illiterate Republicans and witness their mistakes.

"The polling places are located in objectionable and inconvenient places — sometimes at the top of a narrow pair of stairs, sometimes in a cellar, and invariably

where scrutiny is impossible. After the closing of the polls no Republican is allowed to witness the count, and under the laws of this State, which permit the excess ballots to be drawn out where the votes exceed the voters, a very carnival of crime is perpetrated.

"And yet those managers engaged in this pastime of frivolity and iniquity are sworn officers, and thus trifle with and nullify the most important rights of citizenship. To such an extent has this prostitution of sacred functions been carried on, and so notorious have been the frauds and perjury practiced, that the public conscience has been debauched and the morals and minds of the people debased and familiarized with crime.

"In an address of January 8, 1889, the chairman of the committee further says:

"The recent election in South Carolina was a miserable farce, and justifies an effort to bring its significance to a knowledge of the people. Out of a vote of more than 120,000 the Republicans were suffered to have counted but 13,740. This is a dismal confirmation of preëxisting fears. It fully vindicates the confidence of the Democrats in the capabilities of their election system to produce any desired result. The machine is known to operate so effectually that the voters of one party have become apathetic, while those of the other are disheartened. The result is discounted and canvassed in advance, and the so-called election is but the formal registry of what has been ordained. The knowledge of what is known will happen is the chief explanation of the smallness of the 58,730 votes cast for the Democratic State ticket, which is barely one-half of their full number, while the difference between that vote and the 65,286 votes cast for the electors, represents some of the false counting done at the Federal polls. . . . The late election demonstrated the effectual suppression of the elective franchise in this State, and the utter futility of contending against the infamous system under which they are held.

The rights of suffrage are annihilated. . . . The election system in South Carolina radically differs from that of any other State. Its partisan purpose is not even concealed. It openly violates every principle of right, justice and fairness. It was enacted to enable the few required to work its machinery to accomplish all that the masses of the party had been able to achieve through lawlessness, fraud and brutal crimes. There is now no occasion to resort to the revolutionary methods of 1876, the tissue ballot frauds of 1878, nor the wholesale ballot-box stuffing of 1880. This intricate and complicated election machinery, as the Charleston *News and Courier* aptly terms it, has fulfilled its mission and proven even better adapted to its purposes than was contemplated by the conspirators through whom it was invented and constructed. Its principal and most effective features are the registration of the voters, the multiplicity of the ballot-boxes, and the partisan boards of election officers. All are skillfully adjusted and essential for thorough effectiveness, but the registration is the most vital. In the way it is manipulated it is not believed over one third of the Republicans of the State are qualified to vote."

Fortunately, however, the public conscience is not dead to these inroads upon the right of suffrage. It is patient, long-suffering and not easy to arouse, but when awakened will assert itself with a vigor and directness that will crush out this Mississippi plan, this South Carolina plan, and all other schemes that may be devised to run in substantial accord therewith.

It is better, as a general proposition, that the negroes of the South should divide, politically, and they will do so, when fairly treated. Meantime, no well-informed man is deceived by the cant and humbug of apprehended negro supremacy in the Southern States. Colored men naturally wish to vote as they think proper, but it is not true that as a race they are consumed with the idea of power and control in

the Southern States. No man who has lived in the South and endeavored to deal fairly and justly with these people is apprehensive of domination on their part. They are willing to be led politically, but by friends, not enemies. They are citizens of the United States, and they know it, and they simply ask the protection that by the fundamental law of the land is theirs. Yet, whoever goes into certain portions of the Gulf States and some of the adjacent territory, more particularly into the smaller towns, and to neighborhoods where plantations are large and negroes numerous, and endeavors to lift these negroes to the plane of civilization upon which they are unquestionably capable of moving, and to aid them in securing their rights at the ballot box, becomes, in the elegant phraseology of these localities, a "carpet bagger," a term that practically means those obnoxious persons from the North who going into certain portions of the Southern States to live, dare to be as open in the declaration of their political sentiments, as they are and can be anywhere in the old Free States of the North.

And as long as this continues to be the fact, just so long will immigration seek the Northwest, as it now does, and will capital that moves to certain localities in the South run the risk of civil commotion.

The immortal proclamation of January 1, 1863, declared the negro a freeman, and by the Constitution and Statutes of the United States his freedom has been made more secure. Civil rights were provided for and guaranteed; still, such has been the trend of events that the struggle for his enfranchisement

is still on, and it will be as obstinate as "Banquo's Ghost," until the logic of President Lincoln's great war measure is anchored as firmly in law *and its enforcement*, as is the memory of this great man in the affections of the American people.

It is idle to say that the negro is ignorant, hopelessly ignorant, and that he cannot be made to become an intelligent citizen. In August, 1892, the Rev. J. G. Price of Salisbury, N. C., and Mr. S. G. Atkins of Winston, in the same State, both colored men, and who take an active part in the movement to develop and improve the condition of the negroes of the South, spent a week in Buffalo.

Dr. Price was at that time the President of Livingstone College, located at Salisbury, and one of the leading institutions of the South for the education of the colored people.*

Mr. Atkins was Secretary of the Department of Education of the African Methodist Episcopal Zion Church.

* Dr. Price was born of a free mother and slave father at Elizabeth City, N. C., February 10, 1854, and died at Salisbury, N. C., October 25, 1893. He did not learn the alphabet until he was eleven years of age. His father dying while he was still a boy, he nevertheless was able to keep himself in school, by working part of the time, and in the year 1879 graduated at Lincoln University at the head of his class. He had already developed unusual powers as an orator, and soon became a preacher, lecturer and educator.

In August, 1881, at the age of 27, he sailed for England as a delegate to the Ecumenical Council which met at London in September of that year. In the council he distinguished himself as an orator and speaker, and so impressed the people of England that he was invited to remain in the country and give a course of

Both bright and able men, and familiar with the various phases of the negro problem in the Southern States, they were interviewed by *The Express*, and that interview is so pertinent and so well presents, among other things, the growth of the negro in capacity and intelligence, that we take the liberty of here inserting a portion of it:

"The condition of the negro people of the South is improving every year," said Dr. Price, "and the signs of hopefulness are bright and encouraging. Our educational facilities are increasing in scope and efficiency. In material possessions the people are showing industrial and economical tendencies that are surprising. For instance, they are securing homes of their own; entering into commerce, banking, real estate, and other lines of business. The negroes have successful banks in Birmingham, Ala., Richmond, Va., and Chattanooga, Tenn. They have several successful drug stores in different parts of the South, while grocery and dry goods establishments, run by negroes, are rapidly growing up in almost every Southern town of any considerable size. Real estate companies are being developed, many of them on a large scale. It seems our people are now beginning to realize the necessity of combining their forces for the development of the resources around them, and they are being encouraged so to do."

"How lately have negroes begun to be interested in these business matters?"

---

lectures. This he did, and during a sojourn of about twelve months, accumulated $10,000, which he brought back to Salisbury, N. C., then his home. He soon became President of Livingstone College, located at Salisbury, and continued to be such until his death.

To him more than to any other person this college is indebted for its success. He traveled much in its behalf; was kindly and hospitably received and remarkably successful in procuring substantial assistance. The degrees of Master of Arts and Doctor of Divinity were conferred upon him, and at the time of his early death he stood in the front rank of the notable men of his race.

"During the last ten years a great impetus has been given to such enterprises. The increased intelligence of the negro people has been a very important factor in causing them to take hold of these business enterprises. Twenty years ago they did not realize what prospective investments were calculated to do for them. In other words, they have been encouraged by the spirit of the times, which has had such broad results in the new development now so manifest in the South."

"What can you say of educational progress among the negroes?"

"The progress has been wonderful. It is worthy of note that whenever a school house has been opened negroes quickly enter. In fact, the educational provisions are not at all adequate to the demands of our people, but they are being continually increased. The schools of high grade started and largely maintained by Northern benevolence are crowded every year, and the need of increased facilities is very apparent. This matter of provision for education is really very imperative, since the negro has to do his own work of instruction in the public schools.

"Schools in the South are separate, you know, there being negro teachers for the negro schools, and white teachers for white schools. The race lines in this matter are very marked, and for the present must remain so. Hence, a competent teaching force is one of our increasing necessities, which can only be met by educating the negroes themselves as teachers and leaders for their own race.

"It is encouraging, however, to see what has been done in this direction. The negro people are not only taking advantage of the facilities afforded them, but are beginning to support and maintain their own institutions, which get no State aid, but are maintained from funds contributed by negro organizations. Among these are Livingstone College at Salisbury, N. C., with 300 to 400 students, where normal and classical courses are taught. To this institution alone the negro people pay about $12,000 a year for its support. Other institutions, such as Allen University in South Carolina, and Morris Brown College in Georgia, are supported by the negro people. These institutions are trying to cultivate self-reliance among the people."

"Are the courses in these schools confined to books?"

L of C

"Many of these and other schools of the South have industrial departments in which students are learning the trades. These are becoming indispensable features of the high-grade work of education among our people. Many young men going out from these industrial schools are among our most successful printers, carpenters and workmen in other trades."

"In number, doctor, what can you say of your schools?"

"We have about 100 schools of high grade — institutes, seminaries, colleges and universities — for the education of our negro youth. These institutions have from 25,000 to 30,000 young men and women students every year, and these are influencing about 2,000,000 people in the school rooms and homes. In the public schools there are about 1,500,000 children. The negro teachers number about 20,000. These figures are far ahead of the expectations of the most sanguine of our friends, who witnessed the beginning of our work twenty-five years ago."

"What do you find the relations between the races now to be?"

"I cannot speak for the whole South, but in North Carolina our relations are very harmonious. We have no 'Jim Crow' or separate cars for the two races. Our negro people ride in first-class cars when they pay first-class fare. There is no friction between the races and no prospect of a race war. In business matters our relations are cordial. We find moneyed men in our State always ready to coöperate with negroes in business enterprises that look towards their improvement. I confess and regret that these encouraging conditions do not obtain in all the Southern States. It is my observation that there is a New South and an Old South, and we feel that encouragement ought to be given to all endeavors that mean the promotion of New South tendencies. What I mean by the NEW SOUTH is an adjustment to the new conditions resulting from freedom and its consequent manhood rights. By the OLD SOUTH I mean the indisposition to recognize these conditions. For instance, in States like Alabama, Mississippi and Georgia they have separate car laws, which mean not only a separation of the races, but a humiliation and degradation of the negro people, which to our mind is unkind and unjust. The negroes are law-abiding, and the better class, when they travel, seek comfort and are willing to pay for it, but are too

often made to pay first-class fare and given second-class accommodations. Very often intelligent, well-dressed and refined negro people are, by this injustice, forced to take accommodations with the criminal classes. I am glad to say, however, that in my own State of North Carolina, and in South Carolina and Virginia more humane and civilized conditions exist."

"To what extent are political rights given your race in the South, doctor?"

"In North Carolina our people can speak and vote as freely as in New York. In other Southern States we can't. The ballot in North Carolina is a free one, though there may be a little difficulty in always getting a fair count. In public discussions we exercise the utmost freedom, but I can't say that much for the whole South, especially in Mississippi, Alabama, South Carolina, Louisiana and Georgia. In those States there is not so much freedom of discussion, and the ballot is more trammeled. If we are going to have a ballot at all it should be free and untrammeled."

Thus much upon this subject from an intelligent negro. And even Mr. Herbert is moved to say— page 67 of "Why the solid South?" — that "the colored population is progressing everywhere in the State" (Alabama) "slowly in the black belt, where the negro predominates; much more rapidly in the counties where the whites outnumber the blacks. Their progress is marked in morality, intelligence and propriety."

And, again, Mr. Herbert, from the same page: "It may be mentioned as a significant fact, that Nathan Alexander, recently appointed by President Harrison as receiver of public moneys at Montgomery, gave a bond of $60,000, and it is said that all his bondsmen are colored men. They qualified in the sum of $120,000."

The evidence of the capacity of the negroes of the South, and of their ability to intelligently discharge

the duties of citizenship could be very greatly extended, but it is not considered necessary to do so. The truth is, that the old *ante-bellum* prejudices of the dominant white element still control in some of the Southern States. They shape laws and create sentiment, and the whilom slave will not receive from this element anything approaching a full recognition of his right to vote as freely and unreservedly as that right is exercised by his neighbors of the Caucasian race.

Gov. Tillman, of South Carolina, expressed the situation in that State when interviewed by a correspondent of the New York *World* in June, 1892 :

"Are you bidding for the negro vote, Mr. Tillman?"

"No, I don't want it. There are very few colored votes polled nowadays and I make no bids for those."

Happily, not all of the late rebellious States are so joined to their idols as are South Carolina and Mississippi, and certain portions of Georgia, Alabama and Louisiana.

And here it is hoped that a brief personal allusion will be pardoned. The writer has never run for a political office but once and then was beaten. In 1876 — *two years after the reconstruction period in Arkansas had passed* — the Republicans of that State saw fit to place him in nomination for the governorship. At the same time a full State ticket was put into the field, but it was defeated, although the average vote cast for the nominees was 34,974.

Arkansas then, as now, was far in advance of several other of the Southern States; and while there is still some friction in the State, politically, and an element there that is disposed to discriminate against the negro

in the matter of suffrage, and the election laws are not what they should be, yet Arkansas is steadily growing in population and wealth.

The census of 1890 gave the State an additional Congressman, and it now has *six*. In 1880 the population of the State was 802,525. In 1890, 1,128,179, an increase in ten years of 325,654.

In 1880 the population of the State of Mississippi was 1,131,597. In 1890, 1,289,600, an increase during the same period of time of only 168,003, *and yet Mississippi is, by 19 years, the older State.*

At the election of 1892, when her *six* members of the Fifty-third Congress were chosen, there were cast in the State of Arkansas for Congressmen, 138,150 votes.

In Mississippi, where *seven* Congressmen were elected in the same year, and have taken their seats, *only 51,024 votes were cast for all Congressional candidates.* The average vote for the districts that elected the *seven* Mississippians was 7,289; while in Arkansas the average vote, similarly considered, was 23,025. In other words, *one* vote in Mississippi went as far in electing members of the Fifty-third Congress as *three* votes in Arkansas.

These two States lie in the Mississippi Valley. They are separated alone by the "Father of Waters," and are largely alike in soil and productions. Cotton is the great staple, and in fineness and length of the fiber of the product, these States are only surpassed by the celebrated Sea Island district on the Atlantic Coast.

Arkansas as a home for men reared in the North and accustomed to think and act, politically, with the

freedom born of independence, is very far superior to her neighbor across the river; and though the State contributes to the unfortunate Southern solidarity that now prevails, it is hoped that the time is not far distant, when it will be insisted upon that all over the South voting shall be full and free, and ballots counted as they are cast, without regard to the race or color of the voter.

There are two remedies. The Fourteenth Amendment of the constitution provides: That when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the members of the legislature thereof is *denied* to any of the male inhabitants of such State, *or in any way abridged*, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens, twenty-one years of age, in such State.

The enforcement of this provision of the Constitution of the United States is one remedy, and the right to such enforcement has been emphasized by interpretation.

"The thirteenth and fourteenth amendments to the United States Constitution raised the colored race from the condition of inferiority and servitude in which most of them had previously stood into perfect equality of rights with all the other persons within the jurisdiction of the States."—*Ex-parte Virginia*, 100 *U. S. Supreme Court Reports*, 339.

And again, and even more comprehensively:

"With respect to citizenship and civil rights, the colored race is placed upon a level with the white, as provided by the United States Constitution and sections 1977 and 1978 of the United States Statutes."—*Virginia v. Rives*, 100 *U. S. Supreme Court Reports*, 313.

The fourth section of the fourth article of the constitution runs in part, and as a distinct provision as follows:

"The United States shall *guarantee* to every State in this Union a Republican form of government."

And while the law-making power of a State may neglect or refuse to initiate a movement for the removal of crimes against the electoral franchise—crimes that are a subversion of Republican government—State legislatures are still within the control of the central power, though State constitutions may not restrain them.

In the organic law of this nation certain vital principles are embodied that cannot be permanently overridden. Abuses of legislative power that discriminate in citizenship and nullify or impair the rights of a certain class of persons, when no wrong has been committed by them, cannot long obtain. The removal of these abuses may not be immediate or sudden, but their destruction must come, and the unjust discrimination that now exists in some of the Gulf States be superseded by a reign of law and order that will fully protect every man at the polls, no matter what his color, or for whom he proposes to vote. In legislation enforcing this provision of the constitution is held the second remedy. It is the more thorough of the two, and when doing its perfect work, there will be no re-

duced representation in the Southern States; and their citizens, whether white or black, will vote as freely as in New York, Ohio or Illinois.

While it is very desirable that this great crime against suffrage should correct itself, it is not doing so. There are numerous Congressional Districts in the Southern States which have practically become mere "Pocket Boroughs," easy now to manage, and quite satisfactory to the personal ambition of those who represent (?) them. The incumbents have far more power upon the floor of the House and in committees than they are entitled to, and this unjustifiable excess in voting strength is not only an outrage upon the Northern States, *regardless of party*, but also upon those States in the South where elections are full and fair. The exigency has come when, in some form, the strong arm of direct and positive law should be uplifted and the blow fall. This or that measure already suggested, may or may not be wise, nevertheless the skill of our legislators is certainly equal to the occasion, and courage and unanimity will cut the knot that is now entangling the Southern States.

The Fifteenth Amendment of the Constitution provides that the right of citizens of the United States to vote, shall not be denied or abridged by the United States or by any State, on account of race, color, or previous condition of servitude, and that Congress shall have power to enforce the article by appropriate legislation.

This amendment is not an opinion. It is a command — the highest expression of the will of the nation — the most forceful exposition of a fundamental purpose. It was created *to be observed*, and, above all,

those men should not be permitted to disregard it who, during four years of bloody and vindictive war, sought to destroy the Constitution itself of which this amendment is now as binding upon the people of the United States as any other portion of the instrument.

Congress has power to provide the remedy. Will that power be exercised?

BUFFALO, N. Y., March, 1894.

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